

# Report to Congress

## *Identification of National Wildlife Refuge System Lands in Alaska That Should Be Made Available for Allotment Selection by Eligible Alaska Native Vietnam Era Veterans*

In Response to Section 1119  
of Public Law 116-9:

the  
John D. Dingell, Jr. Conservation, Management, and Recreation Act

November 2020

Submitted by the Secretary of the Interior



Secretary's Order 3380—Public Notice of the Costs Associated with Developing Department of the Interior Publications and Similar Documents—requires the Service to estimate the costs associated with preparing publications. The Service estimates the cost of developing this report as approximately \$56,304.00



## **Executive Summary**

Section 1119 of Public Law 116-9, the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Dingell Act) directed the Secretary of the Interior (Secretary) to conduct a study to determine whether any Federal lands within units of the National Wildlife Refuge System (NWRS) in the State of Alaska should be made available for allotment selection by eligible Alaska Native Vietnam era veterans. This Report summarizes the methodology and results of this study, presents the Secretary's determination that specific areas within units of the NWRS should be made available for selection by eligible Alaska Native Vietnam era veterans, and identifies those specific areas that should be made available.

### **Background**

In Alaska, the U.S. Fish and Wildlife Service (USFWS) of the Department of the Interior manages 16 national wildlife refuges—totaling 76,799,976 acres—that are part of a nationwide network of protected lands and waters. Alaska refuges are some of the nation's last true wild places, ranging in size from the 310,995 acre Izembek National Wildlife Refuge at the end of the Alaska Peninsula, to the 19.3 million acre Arctic National Wildlife Refuge stretching from the Brooks Range to the Arctic Ocean. The USFWS works with others to administer these lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans.

Many of the lands managed by the USFWS and other Federal agencies were historically occupied by American Indian and Alaska Native people who have been spiritually, physically, and culturally connected to these lands for millennia. Beginning in 1887, Congress passed a series of Acts to provide Native Americans, and Alaska Natives specifically, with the chance to apply for an allotment of land. A series of these laws specifically authorized land allotments for Alaska's indigenous people, including the 1906 Alaska Native Allotment Act and the Alaska Native Claims Settlement Act (ANCSA) of 1971. However, the ANCSA's passage coincided with the Vietnam War and Alaska Natives that were enlisted and serving abroad during the war were not physically present in Alaska to apply and many were unaware of the opportunity to apply. In 1998, Congress enacted legislation to reopen the 1906 Act for a limited time to allow eligible Alaska Native veterans who served during the Vietnam era, or their heirs, to apply for an allotment of land. To date, approximately 110 Alaska Native veterans have received allotments in NWRS units, resulting in approximately 10,300 acres of allotments conveyed.

### **Dingell Act Direction and Study Methodology**

In passing the Dingell Act, Congress recognized that some Alaska Native Vietnam era veterans have still been unable to receive their allotment. Based on current estimates from the Bureau of Indian Affairs, approximately 2,500 veterans may be eligible for allotments. To help address this, Congress directed the Bureau of Land Management to identify lands it administers that could be made available to veterans. Congress also directed the Secretary to conduct a study to determine whether additional Federal lands within units of the NWRS should be made available for allotment selection, and to report the findings and conclusions of the study to Congress. The Secretary in turn directed the USFWS to conduct this study and prepare a draft Report.

The USFWS commenced this study by developing a methodology to review refuge lands based on the factors and considerations Congress identified in §§1119(c)(3) and 1119(c)(4) of the Dingell Act.

Section 1119(c)(3) provides three factors for the Secretary to consider when determining whether Federal lands within the NWRS in Alaska should be made available for allotment selection:

- the proximity of the Federal land made available by the Bureau of Land Management for allotment selection to eligible individuals;
- the proximity of the units of the NWRS in the State to eligible individuals; and
- the amount of additional Federal land within units of the NWRS in the State that is estimated would be necessary to make allotments available for selection by eligible individuals.

Section 1119(c)(4) further specifies that the Secretary shall not identify any Federal land in a unit of the NWRS in Alaska:

- the conveyance of which, independently or as part of a group of allotments-
  - could significantly interfere with biological, physical, cultural, scenic, recreational, natural quiet, or subsistence values of the unit of the NWRS;
  - could obstruct access by the public or the Fish and Wildlife Service to the resource values of the unit;
  - could trigger development or future uses in an area that would adversely affect resource values of the surrounding NWRS land;
  - could open an area of a unit to new access and uses that adversely affect resources values of the unit; or
  - could interfere with the management plan of the unit.
- that is located within 300 feet from the shore of a navigable water body;
- that is not consistent with the purposes for which the unit of the NWRS was established;
- that is designated as wilderness by Congress; or
- that is within the Arctic National Wildlife Refuge.

The USFWS invited Alaska Native Tribes and ANCSA Corporations to consult concerning the study and development of the Secretary's Report to Congress. Information collected during these efforts was incorporated into the study and draft Report.

## **Results of Analysis**

The study identified 3,660,231 acres that could be made available to qualified veterans consistent with the factors and criteria specified in the Dingell Act. The chart on the next page quantifies such acreage by refuge. The locations of such acreage are identified in a series of maps found in Appendix C of the study. The Secretary concurs that these lands should be made available to eligible Alaska Native Vietnam era veterans and hereby submits this determination to Congress for further action.

## Summary of Federal Acreages in Alaska National Wildlife Refuges

Refuge	Total Federal Acres	Wilderness Acres	Acres Suitable for Allotment Selection
Alaska Maritime	3,421,816	2,576,320	56,789
Alaska Peninsula	3,574,260		253,088
Arctic	19,287,376	8,000,000	0
Becharof	1,200,420	400,000	7,001
Innoko	3,850,801	1,240,000	267,031
Izembek	310,995	307,982	0
Kanutai	1,430,320		305,957
Kenai	1,912,768	1,354,247	7,277
Kodiak	1,881,211		311
Koyukuk	3,550,160	400,000	168,540
Nowitna	1,560,240		220,417
Selawik	2,151,322	240,000	365,642
Tetlin	700,287		33,374
Togiak	4,104,247	2,274,066	136,727
Yukon Delta	19,226,802	1,900,000	1,330,410
Yukon Flats	8,636,951		507,667
<b>TOTAL</b>	<b>76,799,976</b>	<b>18,692,615</b>	<b>3,660,231</b>



# **Report to Congress**

## ***Identification of National Wildlife Refuge System Lands in Alaska That Should Be Made Available for Allotment Selection by Eligible Alaska Native Vietnam Era Veterans***

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**June 2020**

**Submitted by the Secretary of the Interior**

### **I Purpose**

This Report to Congress presents the Secretary of the Interior's (Secretary's) determination concerning whether any Federal lands within units of the National Wildlife Refuge System (NWRS) in the State of Alaska should be made available for allotment selection by eligible individuals pursuant to Section 1119 ("Alaska Native Vietnam Era Veterans Land Allotment") of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Dingell Act). This Report also summarizes the methodologies and results of the study conducted to inform the Secretary's determination.

### **II Background and Need**

The Indian General Allotment Act (25 U.S.C. 331) was passed by Congress in 1887 to allow Native Americans a chance to apply for an allotment of land not exceeding 160 acres. Since it was unclear whether or not Alaska Natives were eligible for an allotment under that Act, Congress passed the Alaska Native Allotment Act (1906 Act, Public Law 59-171) to ensure that the indigenous peoples of Alaska had an opportunity to select a parcel of land. The 1906 Act gave the Secretary's discretion, under rules as he may prescribe, to allot to any Alaska Native who was at least 21 years old up to 160 acres of non-mineral, Federal land in Alaska, to remain with them and their heirs in perpetuity. This 1906 Act allowed Alaska Natives to legally own land they had used and occupied for generations. The rules adopted by the Secretary provided that allotments would not be made on lands reserved by the United States unless the claimant used and occupied them prior to the reservation.

In 1956, Congress amended the 1906 Act (1956 amendments, Public Law 84-931) to require applicants to prove substantial use and occupancy of a parcel of land for at least five years in order for an allotment to be conveyed to them. The 1956 amendments clarified that the land needed to be "vacant, unappropriated, and unreserved". The 1956 amendments further allowed

an allotment to be conveyed in a national forest, provided that an applicant was able to prove use and occupancy prior to the forest being withdrawn, or if the Secretary of Agriculture determined that the land was “chiefly valuable to agriculture or grazing purposes.”

In 1971 Congress passed the Alaska Native Claims Settlement Act (ANCSA) to resolve all outstanding aboriginal land claims. Section 18(a) of ANCSA repealed the 1906 Act. Leading up to the repeal of the 1906 Act, the Bureau of Indian Affairs and local partners conducted outreach to encourage eligible Alaska Natives to apply for an allotment of land. According to the Department of the Interior (DOI), that effort resulted in over 10,000 individual applicants for allotments.

That time period coincided with the Vietnam War. Many Alaska Natives were enlisted and served abroad during the war. Due to their service, they were unable to be physically present in Alaska to submit an application and many were unaware of the opportunity to apply. Congress recognized this inequity in 1998 and enacted legislation (1998 Act, section 432 of Public Law 105-276) to reopen the 1906 Act for a limited time with a narrow scope. The 1998 Act allowed for Alaska Native veterans, or their heirs, who were eligible under the 1906 Act and who served at least six months between January 1, 1969 and June 2, 1971, or were enlisted or drafted before December 17, 1971, to apply for an allotment of land. Further, allotments could only be selected from vacant, unappropriated, and unreserved Federal land, and selections were prohibited from wilderness lands, units of a National Forest, and land withdrawn for military purposes. DOI promulgated regulations (43 C.F.R. 2568) to set up a system to convey allotments to Alaska Native Vietnam veterans. Pursuant to these regulations, if an individual could prove use and occupancy on land that was not available for selection because it was deemed inconsistent with the permitted uses of a given conservation system unit, that individual could make a selection elsewhere in the State without proving use and occupancy.

Congress amended the 1998 Act twice to address issues related to eligibility. In 2000, Congress expanded the eligible period of service to December 31, 1971, and clarified the role of a personal representative (section 301 of Public Law 106-559) and in 2004, Congress clarified how an eligible individual could prove their military service (section 306 of Public Law 108-452).

Despite these efforts, an estimated 2,500 Alaska Natives who served during the Vietnam era have yet to receive an allotment.

The Dingell Act, S. 47, was enacted on March 12, 2019. The purpose of §1119, “Alaska Native Vietnam Era Veterans Land Allotment”, is to allow eligible Alaska Native veterans, including personal representatives of the estate of a deceased eligible individual, who served in the Armed Forces between August 5, 1964, and December 31, 1971, and who have not previously received an allotment pursuant to the 1906 Native Allotment Act, or Section 14(h)(5) of ANCSA (43 U.S.C. 1629g), or Section 41 of ANCSA, to select one parcel of available Federal land of not less than 2.5 acres and not more than 160 acres.

### **III U.S. Fish and Wildlife Service Responsibilities**

The U.S. Fish and Wildlife Service (USFWS) is the principal Federal agency dedicated to fish and wildlife conservation. The USFWS improves and maintains fish and wildlife resources through management of wildlife and habitat. It also helps meet public demand for wildlife-

dependent recreational activities by maintaining public lands and restoring native fish and wildlife populations. The USFWS works with others to administer these lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans. One of the guiding principles of the NWRS is to maintain public lands within a refuge for wildlife-dependent uses including hunting, fishing, wildlife observation, photography, interpretation, and education, when compatible with the purpose of the particular refuge.

In Alaska, the USFWS manages 16 national wildlife refuges—totaling 76,799,976 acres—that are part of a nationwide network of protected lands and waters. Alaska refuges are some of the nation's last true wild places, ranging in size from the 310,995 acre Izembek Refuge at the end of the Alaska Peninsula, to the 19.3 million acre Arctic Refuge stretching from the Brooks Range to the Arctic Ocean. Purposes of Alaska's National Wildlife Refuges include conservation of fish and wildlife populations and habitats in their natural diversity; fulfillment of international treaty obligations of the United States with respect to fish and wildlife and their habitats; provision of the opportunity for continued subsistence uses by local residents; and assurance of water quality and necessary water quantity within the refuge.

Various laws and regulations define the authority and responsibility for the USFWS to administer NWRS lands in Alaska including but not limited to the National Wildlife Refuge System Administration Act, National Wildlife Refuge System Improvement Act of 1997, Wilderness Act, Migratory Bird Treaty Act, Endangered Species Act, Marine Mammal Protection Act, Clean Air Act, Clean Water Act, Bald and Golden Eagle Protection Act, and the Alaska National Interest Lands Conservation Act (ANILCA).

In light of the USFWS's knowledge of and experience managing NWRS lands in Alaska, the Secretary tasked the USFWS with conducting the study and developing a draft of the Report required by §1119 of the Dingell Act.

## **IV Study Methodology**

The USFWS conducted the study using a map-based approach that initially considered all NWRS lands in Alaska and then applied the factors and criteria specified by §§1119(c)(3) and 1119(c)(4) of the Dingell Act to identify specific lands in each refuge that may be suitable for conveyance as allotments. This method was developed by an interdisciplinary USFWS team that engaged in discussion and consultation with refuge management staff and employed an expert elicitation process conducted by a team of subject matter experts from the USFWS Migratory Birds Management, Fisheries, Endangered Species, Science Applications, Subsistence Management, Marine Mammals, and Fire Management programs.

USFWS Refuge Managers also invited more than 160 Alaska Native Tribes and 100 ANCSA Corporations to participate in consultation on the study and draft Report. In its invitation, the USFWS offered these entities the opportunity to participate in formal consultations related to the project. Discussions with some of these entities occurred throughout the study and information collected during these efforts were incorporated into the draft Report.

### **A. §1119(c)(3) Factors**

The Dingell Act directed the Secretary to consider the following three factors when determining whether NWRS lands in Alaska should be made available for allotment selection.

- (A) The proximity of the Federal land made available for allotment selection under subsection (b)(5) to eligible individuals;
- (B) The proximity of the units of the National Wildlife Refuge System in the State to eligible individuals; and
- (C) The amount of additional Federal land within units of the National Wildlife Refuge System in the State that is estimated would be necessary to make allotments available for selection by eligible individuals.

The reference in subsection (A) is to a provision in the Dingell Act concerning a parallel effort by the Bureau of Land Management (BLM) to identify available Federal lands in Alaska for potential conveyance to eligible individuals (§1119 (b)(5)(A)). Only limited lands had been identified by BLM pursuant to that provision prior to finalization of the USFWS's study. The USFWS therefore considered proximity to any Federal lands which *might* be made available under §1119 (b)(5)(A) as a factor in its evaluation.

Subsection (B), above, speaks to the proximity of NWRS units to eligible individuals, which the Act defines as Alaska Native veterans who served in the Armed Forces during the Vietnam era and who have not received an allotment. Since the USFWS did not have knowledge of the identities or current locations of eligible individuals when it conducted the study, it identified and employed certain proxies to achieve the objective of subsection (B). More specifically, USFWS staff focused on lands within relatively close proximity to villages or lands already conveyed to Regional and Village Corporations under ANCSA. Refuge Managers also identified and included specific lands that, based on local knowledge gleaned from conversations with residents, should be made available for allotment selection because of their accessibility and desirability by eligible individuals. Lands that are not in close proximity to villages or to lands already conveyed to ANCSA Corporations were eliminated from further consideration.

With respect to subsection (C), above, the precise number of acres of refuge land that would be needed to make allotments available for all eligible individuals was not known during the time the USFWS conducted this study. However, it is estimated that approximately 2,500 Alaska Native veterans, or the personal representatives of the estate of Alaska Native veterans, will qualify as eligible individuals. If each of the estimated 2,500 eligible individuals select an allotment of the maximum size, 160 acres, approximately 400,000 acres would be necessary for selection by eligible individuals. The USFWS therefore attempted to identify at least 400,000 acres of NWRS lands through this study.

### **B. §1119(c)(4) Criteria**

The Dingell Act also lists certain types of NWRS lands which the Secretary is not to identify for potential conveyance. Some of these provisions may be considered non-discretionary criteria. Specifically, the Secretary is not to identify any land that is either located within 300 feet from the shore of a navigable waterway (§1119(c)(4)(B)), designated as wilderness by Congress

(§1119(c)(4)(D)), or any land within the Arctic National Wildlife Refuge (§1119(c)(4)(E)). While conducting its study, the USFWS identified such areas on each Refuge-specific map and removed them from further consideration. Due to map scale, lands located within 300 feet from the shore of a navigable water body are not depicted on the maps in Appendix C, but they were nevertheless removed from further consideration in this study.

Other provisions within §1119(c)(4) may be considered discretionary criteria in the sense that they require the Secretary to exercise judgment concerning potential impacts that could result from conveyance. Specifically, the Secretary is not to identify any land that, if conveyed, would not be consistent with the purposes for which the unit of the NWRS was established (§1119(c)(4)(C)), or the conveyance of which, independently or as part of a group of allotments:

- (i) could significantly interfere with biological, physical, cultural, scenic, recreational, natural quiet, or subsistence values of the unit of the National Wildlife Refuge System;
- (ii) could obstruct access by the public or the Fish and Wildlife Service to the resource values of the unit;
- (iii) could trigger development or future uses in an area that would adversely affect resource values of the surrounding National Wildlife Refuge System land;
- (iv) could open an area of a unit to new access and uses that adversely affect resources values of the unit; or
- (v) could interfere with the management plan of the unit.

To assess conformity with the discretionary criteria at §§1119(c)(4)(A) and (C), USFWS staff evaluated remaining lands with managers and staff from each refuge. Team members considered the purposes for which each individual refuge was established and, for Refuge units reserved prior to enactment of ANILCA, the purposes for each reservation (Appendix A - Table 2). Team members also used their professional judgment to identify lands that, if made available for allotment selection, could result in a condition described in §1119(c)(4)(A)(i)-(v) or §1119(c)(4)(C). Various lands were eliminated from further consideration based on non-conformity with these criteria. The remaining lands that could be made available for allotment selection are identified in this Report and maps are presented in Appendix C.

## **V Findings and Determinations**

The study summarized above culminated in a finding that 3,660,231 acres of NWRS lands within the State of Alaska could be made available for conveyance to eligible individuals consistent with the provision of §1119(c) of the Dingell Act. The Secretary hereby adopts the findings of this study and determines that all of the 3,660,231 acres of NWRS lands identified therein should be made available for allotment selection by eligible individuals.

The Secretary submits this determination subject to §1119(d) of the Dingell Act, which states, among other things, that no NWRS lands may be made available for allotment unless authorized by a subsequent Act of Congress and that any such conveyance must include patent provisions that the land remains subject to the laws and regulations governing the use and development of the Refuge.

## APPENDIX A

### Tables

**Table 1. Congressionally Designated Wilderness Excluded from Consideration.**

<b>Refuge</b>	<b>Designated Wilderness Area</b>
Alaska Maritime NWR	Aleutian Islands
	Bering Sea
	Bogoslof
	Chamisso
	Forrester Island
	Hazy Island
	Semidi
	Simeonof
	St. Lazaria
	Tuxedni
	Unimak
Arctic NWR	Mollie Beattie
Becharof NWR	Becharof
Innoko NWR	Innoko
Izembek NWR	Izembek
Kenai NWR	Kenai
Koyukuk NWR	Koyukuk
Selawik NWR	Selawik
Togiak NWR	Togiak
Yukon Delta NWR	Andreafsky
	Nunivak

**Table 2. Refuges and Reservations Established Prior to ANILCA and their Stated Purpose.**

<b>Refuge or Reservation</b>	<b>Establishment Executive Order (EO) or Public Law (PL)</b>	<b>Purpose</b>
Bering Sea Reservation	EO 1037 27 February 1909	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Tuxedni Reservation	EO 1039 27 February 1909	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
St. Lazaria Reservation	EO 1040 27 February 1909	Reserved and set apart for the Dept. of Agriculture as a

		preserve and breeding ground for native birds.
Pribilof Reservation  Pribilof Subunit	EO 1044 27 February 1909  PL 96-487 Section 1417 (b) 2 December 1980	Reserved, subject to the provisions of Sec. 1956 Revised Statute relating to fur-bearing animals and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Bogoslof Reservation	EO 1049 2 March 1909	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Forrester Island Reservation	EO 1458 11 January 1912	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Hazy Islands Reservation	EO 1459 11 January 1912	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Chamisso Island Reservation	EO 1658 7 December 1912	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds.
Aleutian Islands Reservation	EO 1733 3 March 1913	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds, for the propagation of reindeer and fur bearing animals, and for the encouragement and development of the fisheries.
Aleutian Islands Reservation including Amak Island	EO 5318 7 April 1930	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for birds and wild animals.
Semidi Islands Wildlife Refuge	EO 5858 17 June 1932	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for wild birds and game and fur animals.
Simeonof National Wildlife Refuge	Public Land Order 1749 30 October 1958	Reserved and set apart for the Fish and Wildlife Service, DOI, as a refuge for the preservation and propagation of the sea otter and other wildlife thereon.
Unimak Island	EO 1733 3 March 1913	Reserved and set apart for the Dept. of Agriculture as a preserve and breeding ground for native birds, for the propagation of reindeer and fur bearing animals, and for the encouragement and development of the fisheries.

Kenai National Moose Range	EO 8979 16 December 1941	Reserved for the purpose of protecting the natural breeding and feeding range of the giant Kenai moose on the Kenai Peninsula, Alaska.
Izembek National Wildlife Range	Public Land Order 2216 6 December 1960	Reserved for use of the DOI, as a refuge breeding ground, and management area for all forms of wildlife.
Kodiak National Wildlife Refuge	EO 8857 19 August 1941 <i>Replaced by</i> PLO 1634 May 9, 1958	Reserved for the purpose of protecting the natural feeding and breeding ranges of the brown bears and other wildlife on Uganik and Kodiak Islands.
Cape Newenham National Wildlife Refuge	Public Land Order 4583 20 January 1969	Protect and preserve for present and future generations including possibly the greatest bird colony on the North American Continent, and important habitat for other terrestrial and marine wildlife, for future generations.
Clarence Rhode National Wildlife Range	Public Land Order 2213 8 December 1960	Reserved for use of the DOI, as a refuge breeding ground, and management area for all forms of wildlife.
Hazen Bay National Wildlife Refuge	EO 7770 14 December 1937	Reserved and set apart for the Dept. of Agriculture as a refuge and breeding ground for migratory birds and other wildlife.
Nunivak National Wildlife Refuge	EO 5095 15 April 1929	An Act to provide for the protection, development, and utilization of public lands in Alaska by establishing an adequate system of grazing livestock thereon," and set apart for the use of the Department of Agriculture in conducting experiments in the crossing and propagation of reindeer and native caribou, for contemplated experiments in reestablishing the musk ox as a native animal of Alaska and also as a preserve and breeding ground for native birds and wild game and fur bearing animals.



**Table 3. Total Acres Identified that could be made Available for Allotment Selection.**

<b>Refuge</b>	<b>Acres Suitable for Allotment Selection</b>
Alaska Maritime	56,789
Alaska Peninsula	253,088
Arctic	0
Becharof	7,001
Innoko	267,031
Izembek	0
Kanuti	305,957
Kenai	7,277
Kodiak	311
Koyukuk	168,540
Nowitna	220,417
Selawik	365,642
Tetlin	33,374
Togiak	136,727
Yukon Delta	1,330,410
Yukon Flats	507,667
<b>TOTAL</b>	<b>3,660,231</b>

## APPENDIX B

### Refuge-Specific Discussion

#### Alaska Maritime National Wildlife Refuge (Alaska Maritime NWR)



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Alaska Maritime NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the villages of Sand Point, Unalaska, Atka, Akutan, and Nikolski, and on lands contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations near Cape Lisburne and on Atka, Akutan, Akun, Umnak, Unalaska, and Unga Islands, and the Shumagin Island group. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Aleutian Islands, Bering Sea, Bogoslof, Chamisso, Forrester Island, Hazy Island, Semidi, Simeonof, St. Lazaria, Tuxedni, and Unimak Wilderness areas are located within the boundaries of Alaska Maritime NWR and are excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Alaska Maritime NWR include conservation of fish and wildlife populations and habitats in their natural diversity including, but not limited to marine mammals, marine birds and other migratory birds, the marine resources upon which they rely, bears, caribou and other mammals; and to provide a program of national and international scientific research on marine resources.

The Bering Sea Reservation, Tuxedni Reservation, St. Lazaria Reservation, Pribilof Reservation and Pribilof Subunit, Bogoslof Reservation, Forrester Island Reservation, Hazy Islands

Reservation, Chamisso Island Reservation, Aleutian Islands Reservation, Aleutian Islands Reservation including Amak Island, Semidi Islands Wildlife Refuge, Simeonof National Wildlife Refuge, and Unimak National Wildlife Refuge were all established prior to ANILCA and are located within the boundaries of Alaska Maritime NWR. These units were established for a variety of purposes including as a preserve and breeding ground for native birds, wild animals, game, and fur animals; for the preservation and propagation of the sea otter and other wildlife thereon; for the propagation of reindeer and fur bearing animals, and for the encouragement and development of the fisheries.

The USFWS noted that portions of the coastline of Unalaska and Akun Islands abut important habitat for Endangered Species Act-listed Northern sea otter and its designated critical habitat. In addition, the spit and lagoon habitat on Sitkinak Island were identified as important for a variety of seabird and wildlife species, including ESA-listed Northern sea otter. Because of the importance and sensitivity of these habitats, the USFWS considered that conveying lands within this area could significantly interfere with biological values of this area of the refuge (§1119(c)(4)(A)(i)).

***Total Acreage Identified:*** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 56,789 acres within Alaska Maritime NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C - Maps 1a-1d).

## Alaska Peninsula National Wildlife Refuge (Alaska Peninsula NWR)



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Alaska Peninsula NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the villages of Port Heiden, Chignak, Chignak Lake, Chignak Lagoon, Perryville, Ivanof Bay, Belkofski, King Cove, and Cold Bay, and on lands contiguous with lands already conveyed to ANCSA Corporations near Lower Ugashik Lake, Chignak Bay, Ivan Bay, and Stepovak Bay. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Alaska Peninsula NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to brown bears, the Alaska Peninsula caribou herd, moose, sea otters and other marine mammals, shorebirds and other migratory birds, raptors including Bald Eagles and Peregrine Falcons, and salmonid and other fish.

The USFWS identified an area along the Alaska Peninsula that is a very important migratory route for a host of marine mammal species. They considered that conveying lands within this

migratory corridor could significantly interfere with biological values of this area of the refuge (§1119(c)(4)(A)(i)).

***Total Acreage Identified:*** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 253,088 acres within Alaska Peninsula NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C - Map 2a-2c).

## **Arctic National Wildlife Refuge (Arctic NWR)**



***§1119(c)(4) Non-discretionary Criteria:*** Section 1119(c)(4)(E) of the Dingell Act specifically excludes Federal lands within the Arctic NWR, therefore, this refuge was excluded from further consideration.

***Total Acreage Identified:*** Following an evaluation of all Dingell Act criteria, the Secretary determines that, a total of zero acres within Arctic NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3).



## Becharof National Wildlife Refuge (Becharof NWR)



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Becharof NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands contiguous with lands already conveyed to ANCSA Corporations southwest of Naknek Lake. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Becharof Wilderness area is located within the boundaries of Becharof NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Becharof NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to brown bears, salmon, migratory birds, the Alaska Peninsula caribou herd, and marine mammals and birds.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 7,001 acres within Becharof NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 3).

## Innoko National Wildlife Refuge (Innoko NWR)



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Innoko NWR in proximity to the villages of Koyukuk, Nulato, Galena, Kaltag, and Grayling *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous with lands already conveyed to ANCSA Corporations within relative close proximity to these same villages. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Innoko Wilderness area is located within the boundaries of Innoko NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Innoko NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to waterfowl, Peregrine Falcons, other migratory birds, black bear, moose, furbearers and other mammals, and salmon.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 267,031 acres within Innoko NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 4).

## Izembek National Wildlife (Izembek NWR)



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Izembek NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the villages of Cold Bay, King Cove, and Belkofski. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Izembek Wilderness area is located within the boundaries of Izembek NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Izembek NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to waterfowl, shorebirds and other migratory birds, brown bears, and salmonids.

The Izembek National Wildlife Range was established prior to ANILCA and is located within the boundaries of Izembek NWR. This unit was established as a refuge breeding ground, and management area for all forms of wildlife.

Approximately 99% of Izembek NWR is designated wilderness. The remaining non-wilderness lands support the majority of public recreation activities within the refuge. The USFWS considered that conveying lands within this portion of the refuge could significantly interfere with recreational values (§1119(c)(4)(A)(i)) and could obstruct access by the public to the resource values of the unit (§1119(c)(4)(A)(ii)).

In addition, the USFWS identified an area along a portion of the coast within Izembek that is a very important migratory route for a host of marine mammal species and that conveying lands within this important migratory route could significantly interfere with biological values of this area of the refuge (§1119(c)(4)(A)(i)).

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of zero acres within Izembek NWR should be made available for allotment selection by eligible individuals



(Appendix A - Table 3 and Appendix C - Map 5), however, lands within the Pavlof Unit of Alaska Peninsula NWR have been identified for allotment selection near the communities of Cold Bay, King Cove, and Belkofski.

## **Kanuti National Wildlife Refuge (Kanuti NWR)**



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Kanuti NWR in proximity to the village of Allakaket *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations within relative close proximity to Allakaket as well as the villages of Evansville, Bettles, and Alatna. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Kanuti NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to White-fronted geese and other waterfowl and migratory birds, moose, caribou, and furbearers.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 305,957 acres within

Kanuti NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 6).

### **Kenai National Wildlife Refuge (Kenai NWR)**



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Kenai NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the communities of Hope, Nikiski, Salamatof, Kenai, Soldotna, Sterling, and Kasilof. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Kenai Wilderness area is located within the boundaries of Kenai NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska’s National Wildlife Refuges mentioned on page 3, specific purposes of Kenai NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to moose, bears, mountain goats, Dall sheep, wolves and other furbearers, salmonids and other fish, waterfowl and other migratory and nonmigratory birds; to provide opportunities for scientific research, interpretation, environmental education, and land management training, and; to provide opportunities for fish and wildlife-oriented recreation.

The Kenai National Moose Range was established prior to ANILCA and is located within the boundaries of Kenai NWR. This unit was established for the purpose of protecting the natural breeding and feeding range of the giant Kenai moose on the Kenai Peninsula.

Kenai NWR contains a multitude of visitor use facilities and hosts nearly one million visitor use days per year. This refuge has a long standing history of non-exclusive and collective public use and access for compatible outdoor recreation uses including fishing, hunting, wildlife observation and photography, camping, trapping, hiking, canoeing, and other outdoor recreational uses. The USFWS considered that conveying lands in areas within this refuge

which support myriad outdoor activities could significantly interfere with long standing and established recreational values (§1119(c)(4)(A)(i)) and in some areas could obstruct access by the public to the resource values of the unit (§1119(c)(4)(A)(ii)).

Given that much of the Kenai NWR lies immediately adjacent to developed communities and transportation infrastructure, the USFWS also considered that allotment selection in many areas of the refuge could trigger private development, either residential or commercial, that would occupy and adversely affect resource values including conservation of fish and wildlife and their habitats (§1119(c)(4)(A)(iii)). In addition, allotment conveyance in many portions of the refuge could open an area to future uses that would adversely affect resource values of the surrounding refuge lands (§1119(c)(4)(A)(iv)).

***Total Acreage Identified:*** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 7,277 acres within Kenai NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C - Map 7).

## **Kodiak National Wildlife Refuge (Kodiak NWR)**



***§1119(c)(3) Factors:*** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Kodiak NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the villages of Uyak, Larsen Bay, Karluk, Ayakulik, Akhiok, Kaguyak, and Old Harbor. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

***§1119(c)(4) Discretionary Criteria:*** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Kodiak NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to salmonids, sea otters, sea lions, and other marine mammals and migratory birds, and for the purpose of protecting the natural feeding and breeding ranges of the Kodiak brown bears and other wildlife on Uganik and Kodiak Islands. The Kodiak brown bear requires large contiguous tracks of habitat. The USFWS considered that conveying lands in many mountain and stream areas could fragment important Kodiak brown bear habitat and impact salmon spawning streams, thereby significantly interfering with biological values of the unit (§1119(c)(4)(A)(i)).

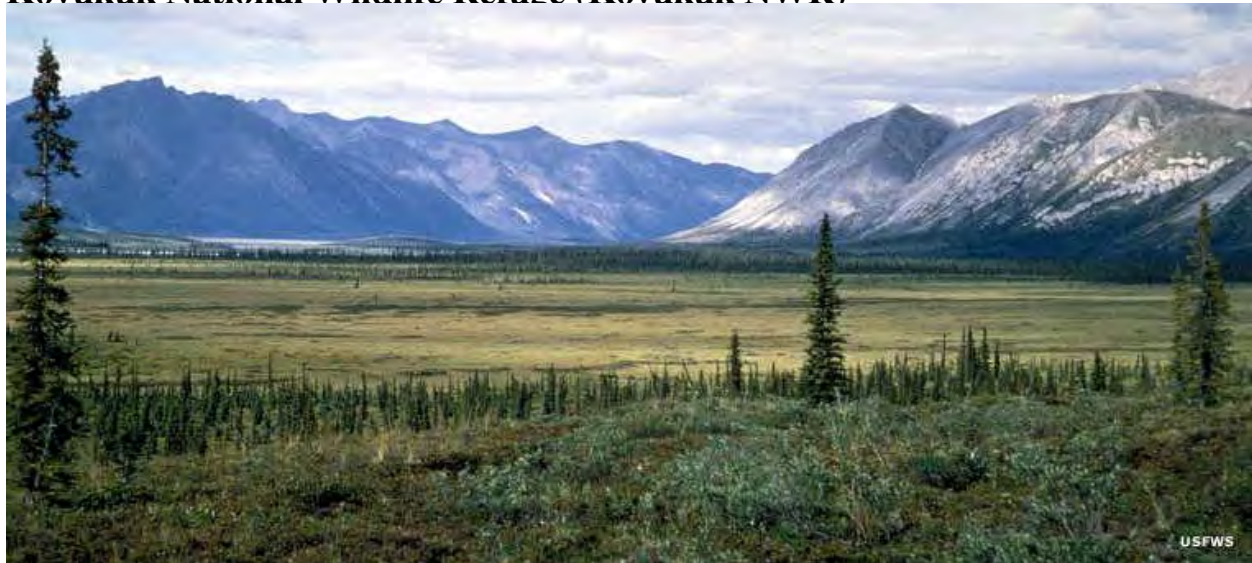


In addition, the steep topography of Kodiak NWR makes access to allotments along the exterior boundary of much of the refuge impractical and many of the more accessible areas are used by the public as access points for compatible outdoor recreation uses including fishing, hunting, wildlife observation and photography, camping, and hiking. The resultant patchwork of ownership could obstruct access by the public to the recreational and resource values of the unit (§1119(c)(4)(A)(ii)).

Although the U.S. Fish and Wildlife Service in this process identified approximately 1,000 acres of coastal lands following the criteria in the law, these lands were found to be high bluffs, steep terrain, and inaccessible mountaintops. In our assessments of these lands, we deemed them inaccessible lands and may not be in the best interest of or useful to our Alaska Native veterans. However, if there is interest in these lands, the Service is available to discuss.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 311 acres within the Kodiak NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C - Map 8).

### **Koyukuk National Wildlife Refuge (Koyukuk NWR)**



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Koyukuk NWR in proximity to the village of Koyukuk *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations within relative close proximity to the village of Koyukuk, as well as the village of Huslia. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Koyukuk Wilderness area is located within the boundaries of Koyukuk NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska’s National Wildlife Refuges mentioned on page 3, specific purposes of Koyukuk NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to waterfowl and other migratory birds, moose, caribou, furbearers and salmon.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 168,540 acres within Koyukuk NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 9).

## **Nowitna National Wildlife Refuge (Nowitna NWR)**



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Nowitna NWR *might* be made available for allotment selection by the BLM. These lands are not in proximity to any lands already conveyed to ANCSA Corporations within the boundary of Nowitna NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the village of Ruby and on lands contiguous to lands already conveyed to ANCSA Corporations along the Yukon River. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska’s National Wildlife Refuges mentioned on page 3, specific purposes of Nowitna NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to Trumpeter Swans, White-fronted geese, Canvasbacks and other waterfowl and migratory birds, moose, caribou, marten, wolverine and other furbearers, salmon, sheefish, and northern pike.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 220,417 acres within Nowitna NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 10).

## Selawik National Wildlife Refuge (Selawik NWR)



***§1119(c)(3) Factors:*** The USFWS is aware that certain lands outside the boundary of Selawik NWR in proximity to the village of Kiana *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous to the village of Kiana, as well as the villages of Noorvik, and Selawik, and on lands contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations near Hotham Inlet. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

***§1119(c)(4) Non-discretionary Criteria:*** The Selawik Wilderness area is located within the boundaries of Selawik NWR and is excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

***§1119(c)(4) Discretionary Criteria:*** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Selawik NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to the Western Arctic caribou herd, waterfowl, shorebirds and other migratory birds, and salmon and sheefish.

***Total Acreage Identified:*** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 365,642 acres within Selawik NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 11).



## Tetlin National Wildlife Refuge (Tetlin NWR)



**§1119(c)(3) Factors:** The USFWS is not aware of specific lands that are either being made available, or *might* be made available for allotment selection by the BLM in the vicinity of Tetlin NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the village of Northway. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Tetlin NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to waterfowl, raptors and other migratory birds, furbearers, moose, caribou, salmon and Dolly Varden and; to provide opportunities for interpretation and environmental education.

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 33,374 acres within Tetlin NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 12).

## Togiak National Wildlife Refuge (Togiak NWR)



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Togiak NWR near Goodnews Bay are being made available for allotment selection by the BLM. These lands are not in proximity to any lands already conveyed to ANCSA Corporations within the boundary of Togiak NWR (§1119(c)(3)(A)). To address factor §1119(c)(3)(B), USFWS staff focused on lands within relative close proximity to the villages of Quinhagak, Togiak, Twin Hills, Manokotak, and Dillingham, and on lands contiguous with lands already conveyed to ANCSA Corporations near Ualik Lake. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Togiak Wilderness area is located within the boundaries of Togiak NWR and was excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Togiak NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to salmonids, marine birds and mammals, migratory birds, and large mammals; and to provide a program of national and international scientific research on marine resources.

The Cape Newenham National Wildlife Refuge was established prior to ANILCA and is located within the boundaries of Togiak NWR. This unit was established to protect and preserve possibly the greatest bird colony on the North American Continent and important habitat for other terrestrial and marine wildlife. Because of the importance and sensitivity of this habitat, the USFWS considered that conveying lands within Cape Newenham could significantly interfere with biological values of this area of the refuge (§1119(c)(4)(A)(i)).

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 136,727 acres within Togiak NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 13).



## Yukon Delta National Wildlife Refuge (Yukon Delta NWR)



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Yukon Delta NWR in proximity to the villages of Marshall, Ohogamuit, and Russian Mission *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations within relative close proximity to these villages as well as the nearly 50 villages across the Yukon Kuskokwim Delta. All other lands within the refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

**§1119(c)(4) Non-discretionary Criteria:** The Andreafsky and Nunivak Wilderness areas are located within the boundaries of Yukon Delta NWR and were excluded from further consideration as specified in §1119(c)(4)(D) of the Dingell Act.

**§1119(c)(4) Discretionary Criteria:** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Yukon Delta NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including, but not limited to shorebirds, seabirds, Whistling Swans, Emperor, White-fronted and Canada geese, Black Brant and other migratory birds, salmon, muskox, and marine mammals.

The Clarence Rhode National Wildlife Range, Hazen Bay National Wildlife Refuge, and Nunivak National Wildlife Refuge were all established prior to ANILCA and are located within

the boundaries of Yukon Delta NWR. These units were established for a variety of purposes, including as a refuge breeding ground, and management area for all forms of wildlife including migratory birds, native birds, wild game, and fur bearing animals; and for conducting experiments in the crossing and propagation of reindeer and native caribou, for contemplated experiments in reestablishing the musk ox as a native animal of Alaska.

The USFWS noted that lands adjacent to the Andreafsky Wilderness that are between 50 and 500 meters in elevation contain one of only two breeding areas for the Bristle Thighed Curlew in Alaska and supplies approximately 60% of the world's population of Bristle Thighed Curlew. They also noted that Coastal Zone lands within 10 km of the coast support the highest densities of shorebirds and waterfowl. These areas are surveyed annually by the Migratory Birds Management Program. Because of the importance and sensitivity of this habitat and the fact that lands upon which to establish field camps and biological studies in this part of the refuge are very limited, the USFWS considered that conveying lands within this area could significantly interfere with biological values of this area of the refuge (§1119(c)(4)(A)(i)) and could obstruct access by the USFWS to resource values of the unit where access is already very limited (§1119(c)(4)(A)(ii)).

**Total Acreage Identified:** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 1,330,410 acres within Yukon Delta NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 14).

## **Yukon Flats National Wildlife Refuge (Yukon Flats NWR)**



**§1119(c)(3) Factors:** The USFWS is aware that certain lands outside the boundary of Yukon Flats NWR in proximity to the village of Stevens Village *might* be made available for allotment selection by the BLM. As specified by factors §1119(c)(3)(A) and §1119(c)(3)(B), the USFWS considered the location of these BLM lands and focused on lands within the refuge boundary that are contiguous, and in some cases completely surrounded by lands already conveyed to ANCSA Corporations within relative close proximity to the village of Stevens Village, as well as the villages of Beaver, Birch Creek, Fort Yukon, Circle, and Chalkyitsik. All other lands within the

refuge were excluded from further consideration due to their distance from villages or lands already conveyed to ANCSA Corporations.

***§1119(c)(4) Discretionary Criteria:*** In addition to the purposes of Alaska's National Wildlife Refuges mentioned on page 3, specific purposes of Yukon Flats NWR include conservation of fish and wildlife populations and habitats in their natural diversity, including but not limited to Canvasbacks and other migratory birds, Dall sheep, bears, moose, wolves, wolverine and other furbearers, caribou, and salmon.

During consultation with Dinyea Corporation and Stevens Village Tribal Council, concerns were raised about the impact of conveyances on the cultural and subsistence values within their traditional use lands. These values were evaluated and identified by the tribal council for protection in their formal land use plan. Upon further evaluation, the USFWS considered that conveying lands within the Stevens Village traditional land use area could significantly interfere with cultural and subsistence values of this area of the refuge (§1119(c)(4)(A)(i)).

The USFWS recognized that certain remote sites outside the Yukon River corridor, such as the Long Lake wetland complex and Canvasback Lake, serve an important role as long term biological study sites deemed essential to fulfilling refuge purposes. It was also recognized that conveying lands adjacent to the Dalton Highway could lead to introduction of invasive species and provide new access to this part of the refuge. The USFWS, therefore, considered that conveying lands within these areas could significantly interfere with biological values of these areas of the refuge (§1119(c)(4)(A)(i)), obstruct access by the USFWS to resource values of the refuge (§1119(c)(4)(A)(ii)), trigger development or future uses in areas that would adversely affect resource values of the surrounding refuge land (§1119(c)(4)(A)(iii)), open areas of the refuge to new access and uses that adversely affect resource values of the refuge (§1119(c)(4)(A)(iv)), and interfere with the management plan of the refuge (§1119(c)(4)(A)(v)).

***Total Acreage Identified:*** Following an evaluation of all Dingell Act factors and criteria along with Refuge-specific considerations, the Secretary determines that a total of 507,667 acres within Yukon Flats NWR should be made available for allotment selection by eligible individuals (Appendix A - Table 3 and Appendix C – Map 15).

## **APPENDIX C**

### **Maps of Lands Identified as Suitable for Allotment Selection.**

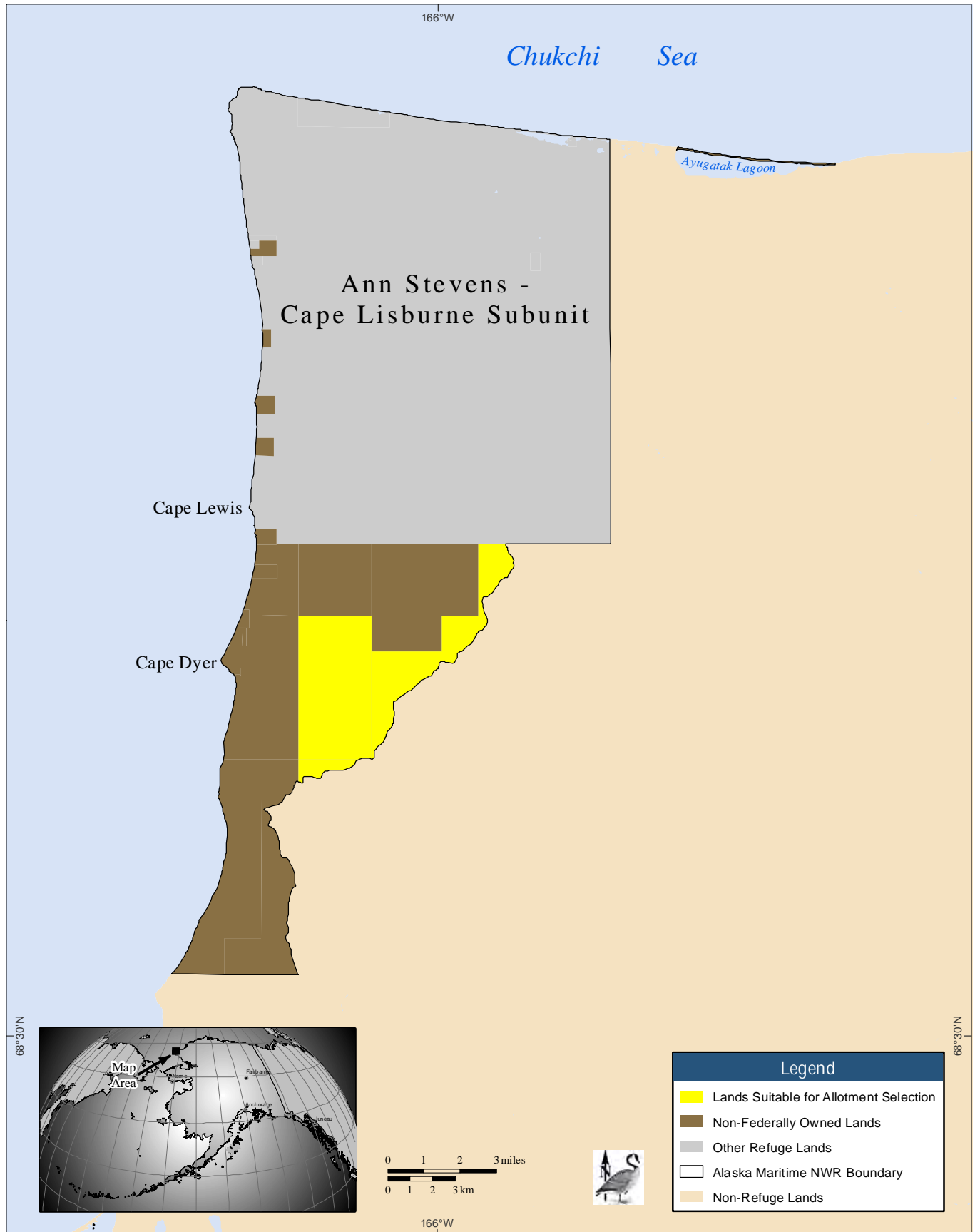


U.S. Fish & Wildlife Service

Alaska Maritime National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 1a**



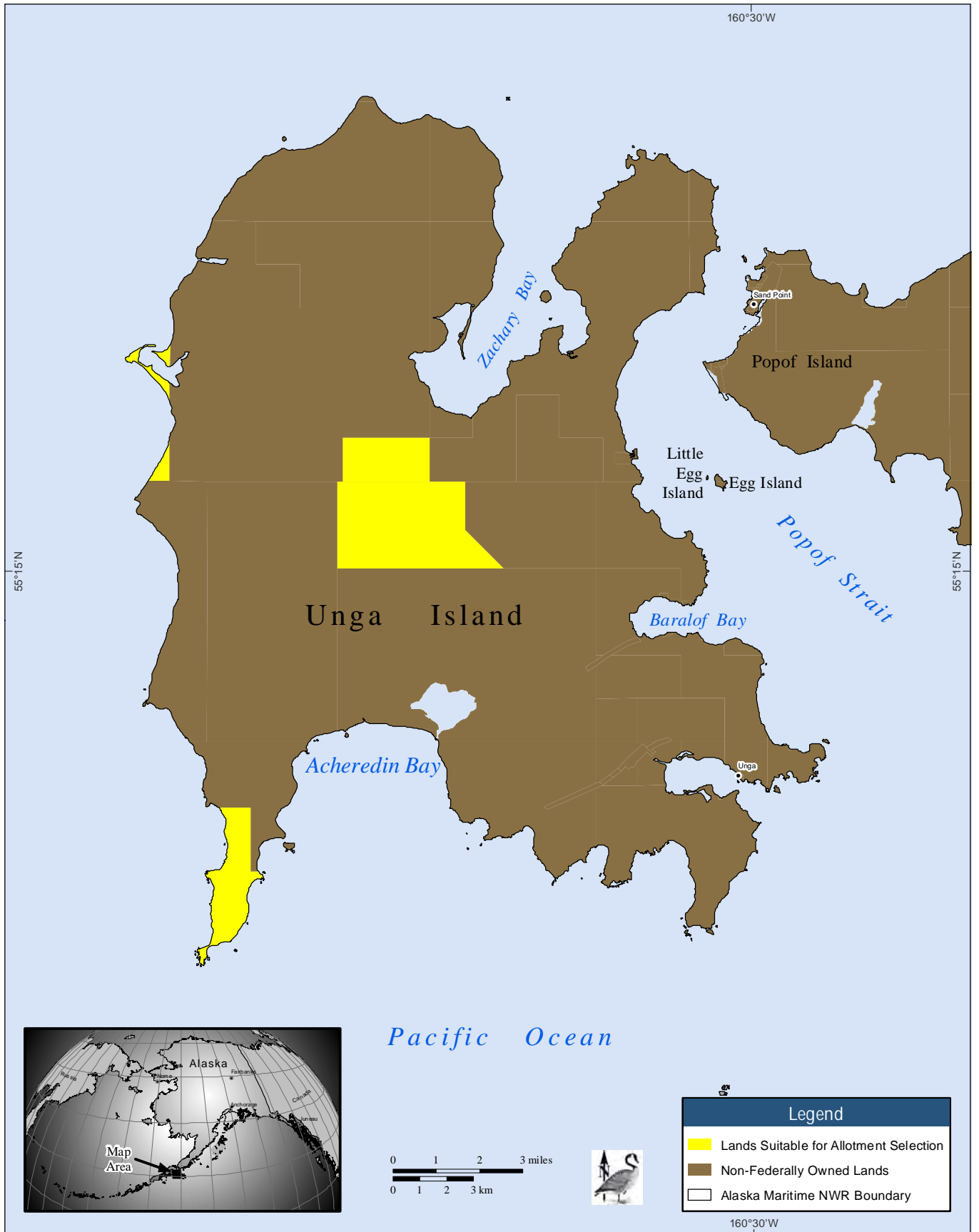


U.S. Fish & Wildlife Service

Alaska Maritime National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 1b**



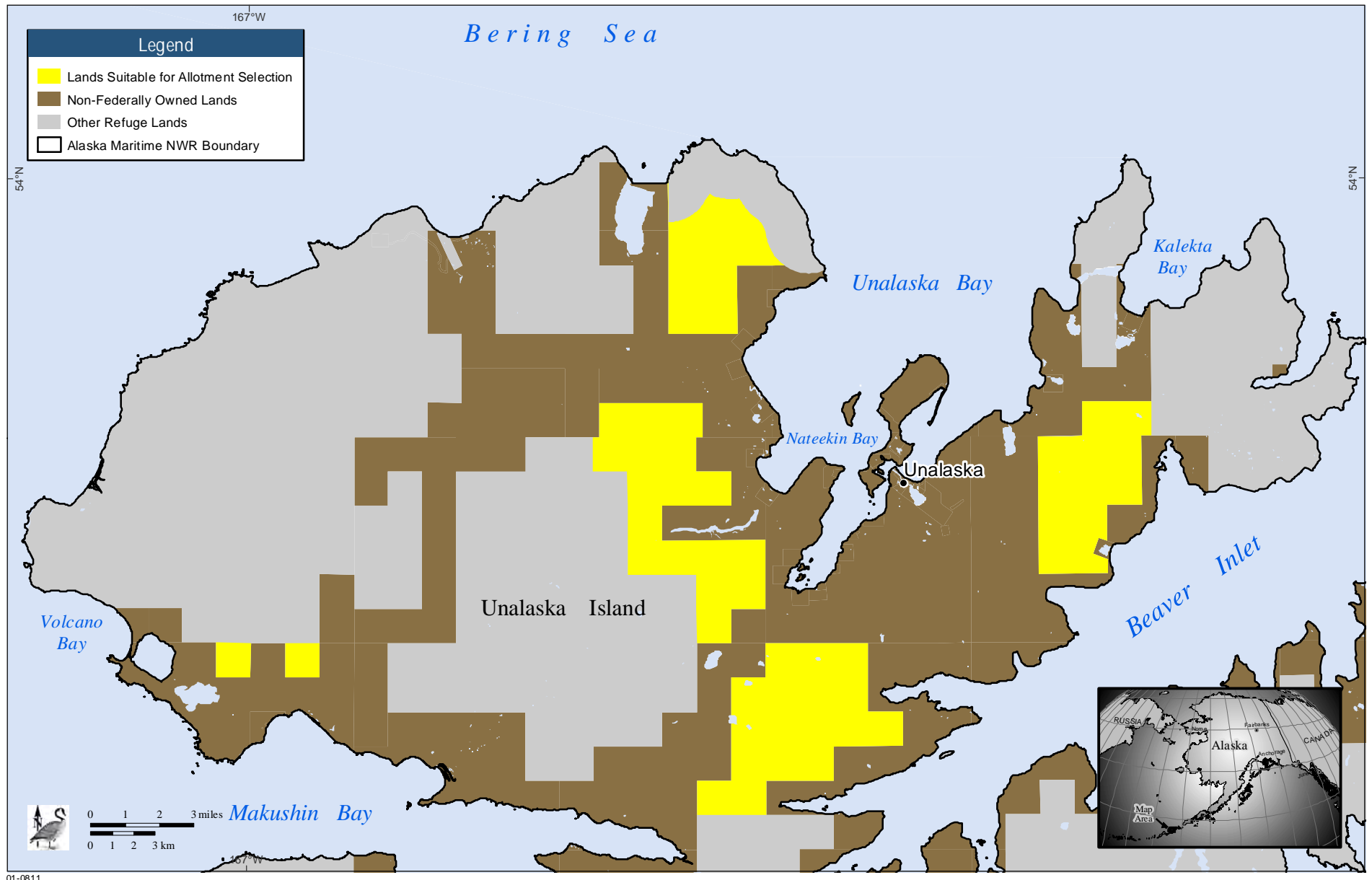


U.S. Fish & Wildlife Service

# Alaska Maritime National Wildlife Refuge Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 1c





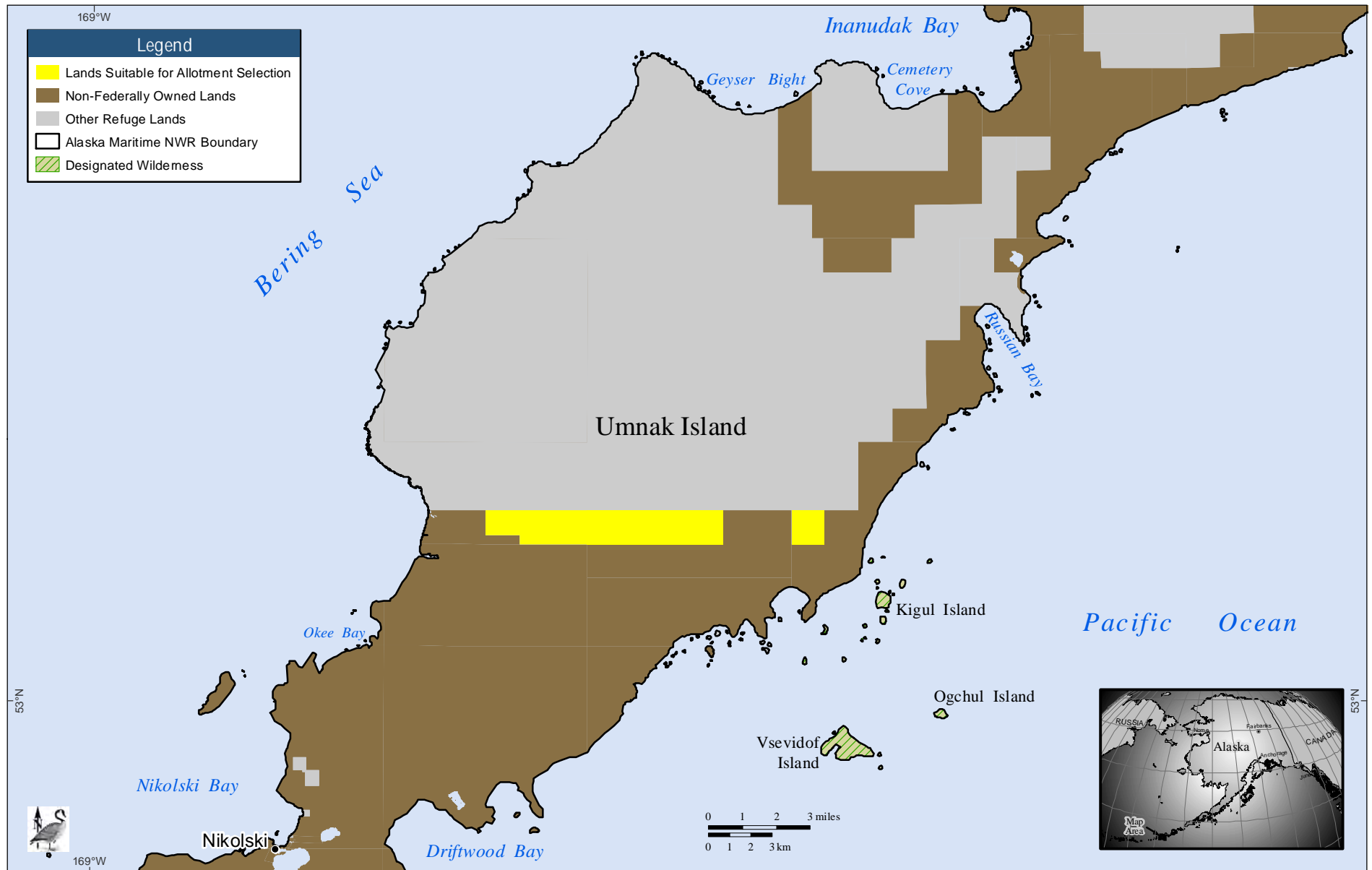


U.S. Fish & Wildlife Service

# Alaska Maritime National Wildlife Refuge Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 1d





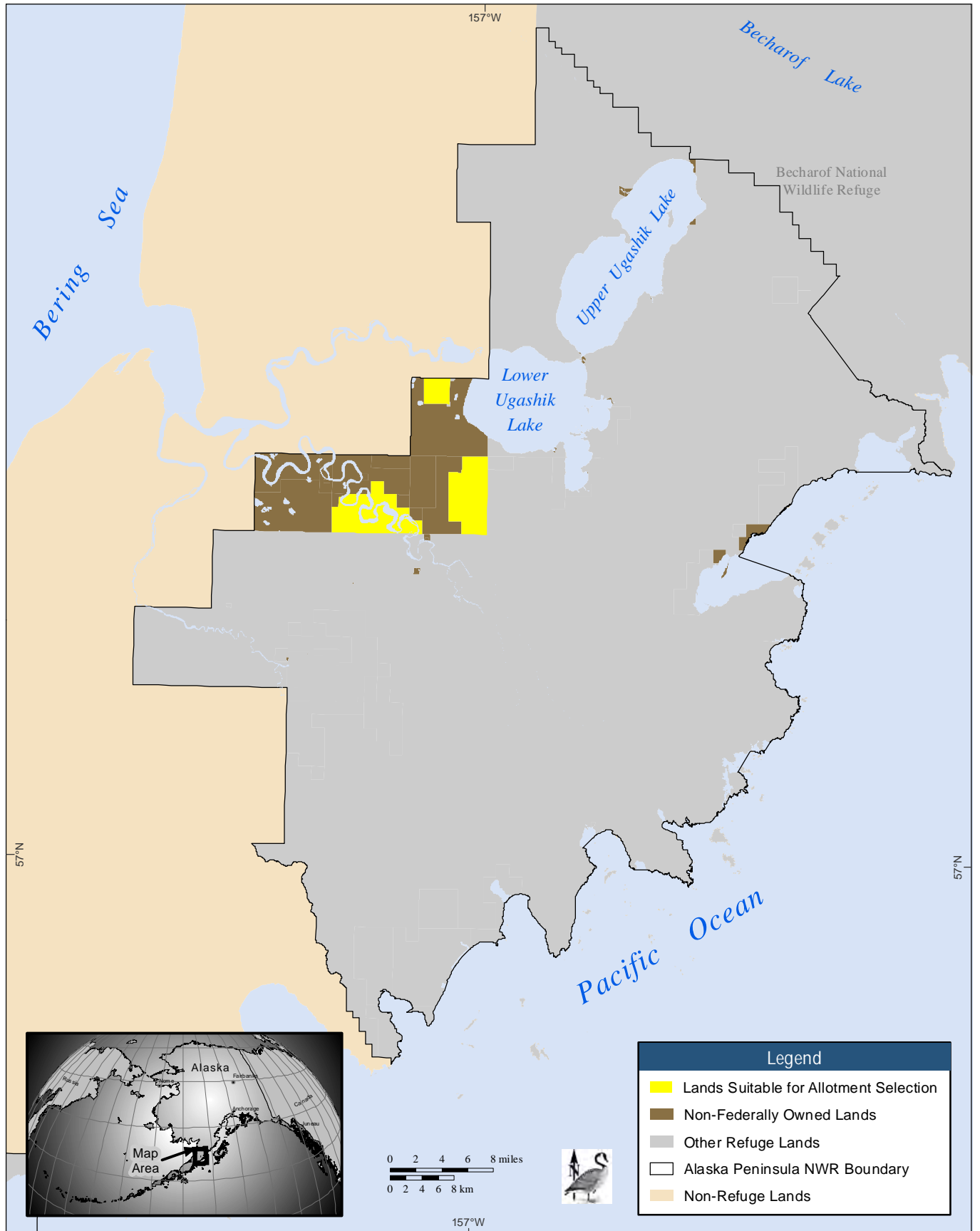


U.S. Fish & Wildlife Service

*Alaska Native Vietnam Era  
Veterans Land Allotment*

Alaska Peninsula National Wildlife Refuge, Ugashik Unit  
Alaska

**Map 2a**



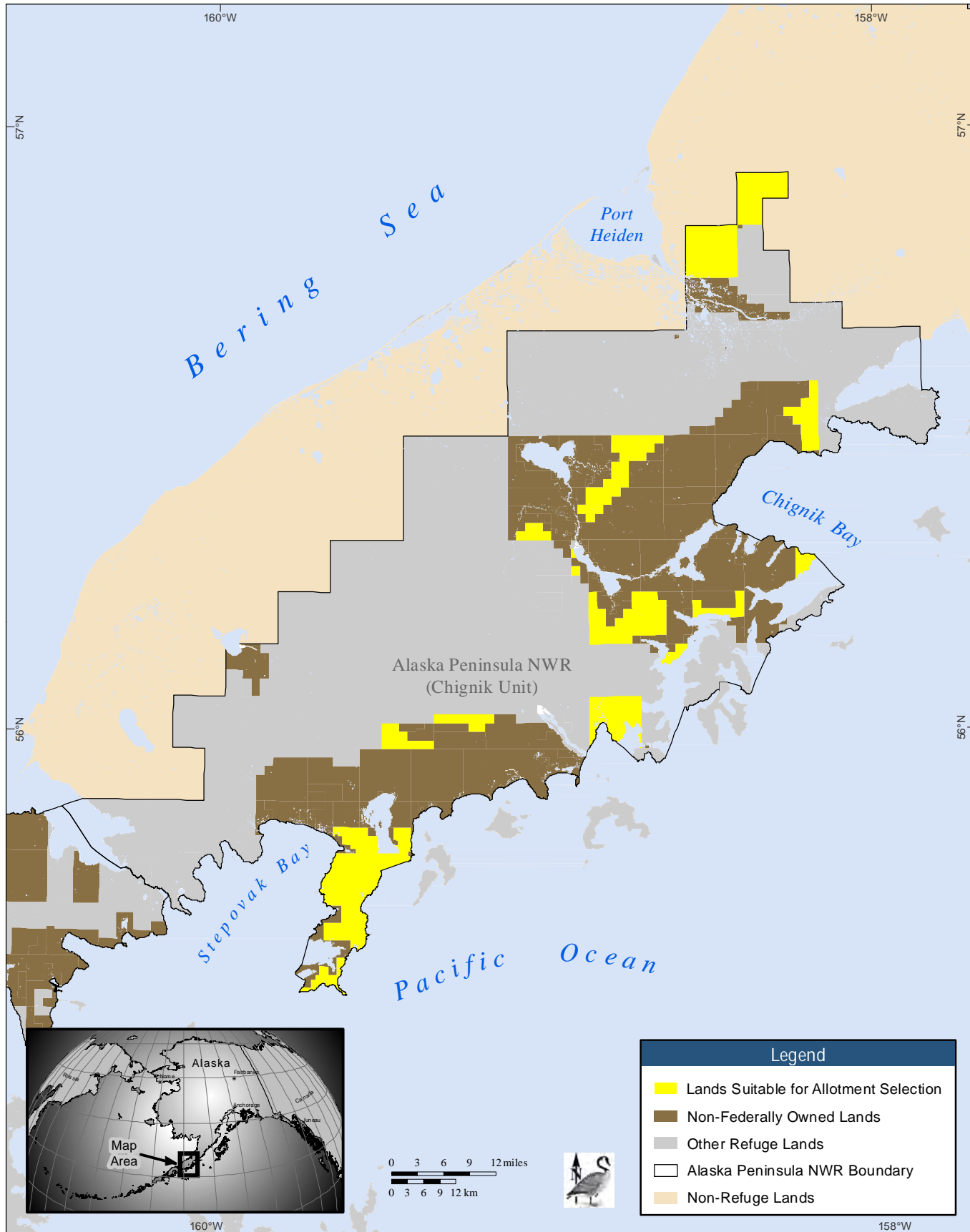


U.S. Fish & Wildlife Service

Alaska Peninsula National Wildlife Refuge, Chignik Unit  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 2b**



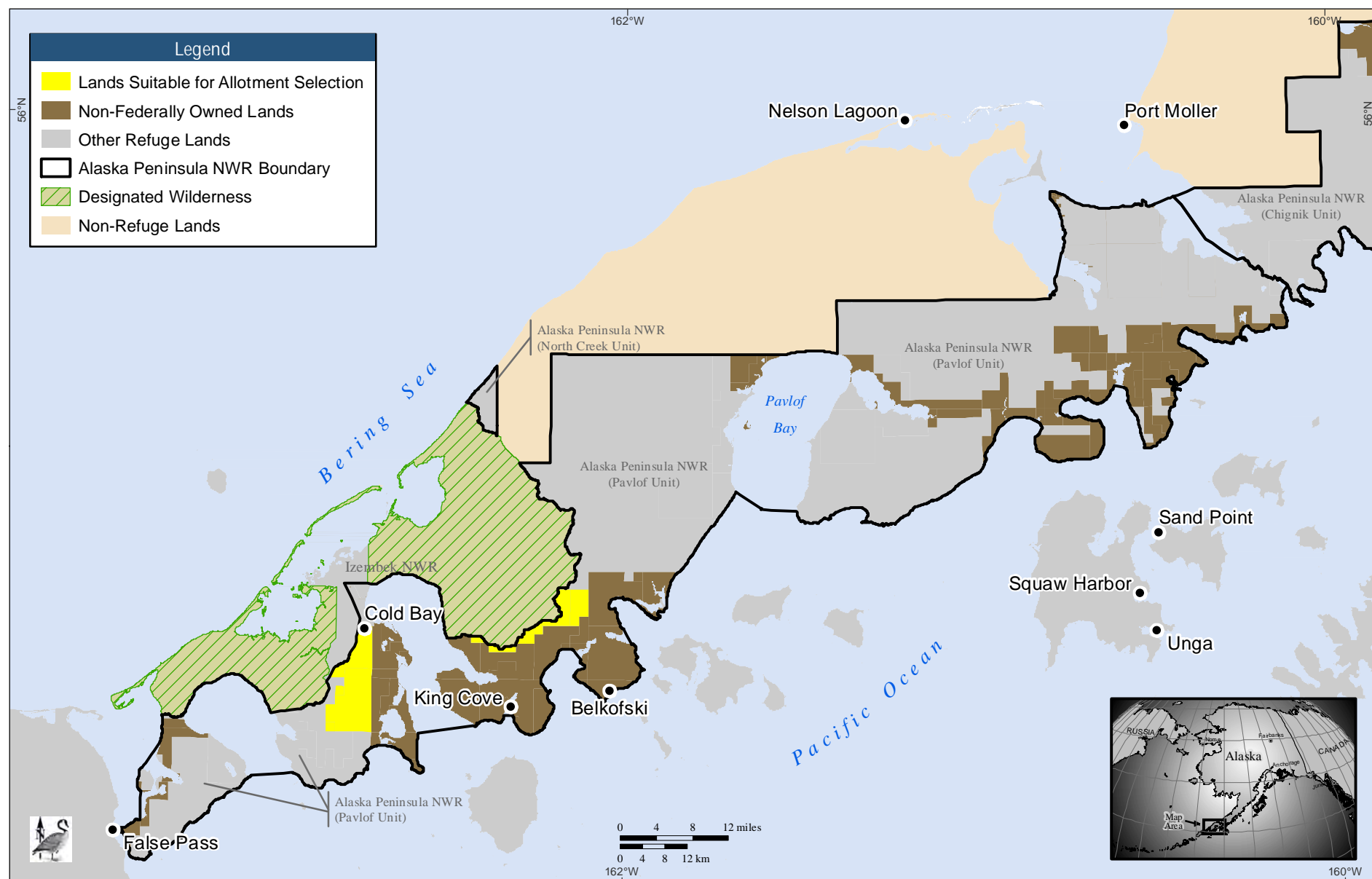


U.S. Fish & Wildlife Service

## Alaska Peninsula National Wildlife Refuge, Pavlof Unit Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

Map 2c



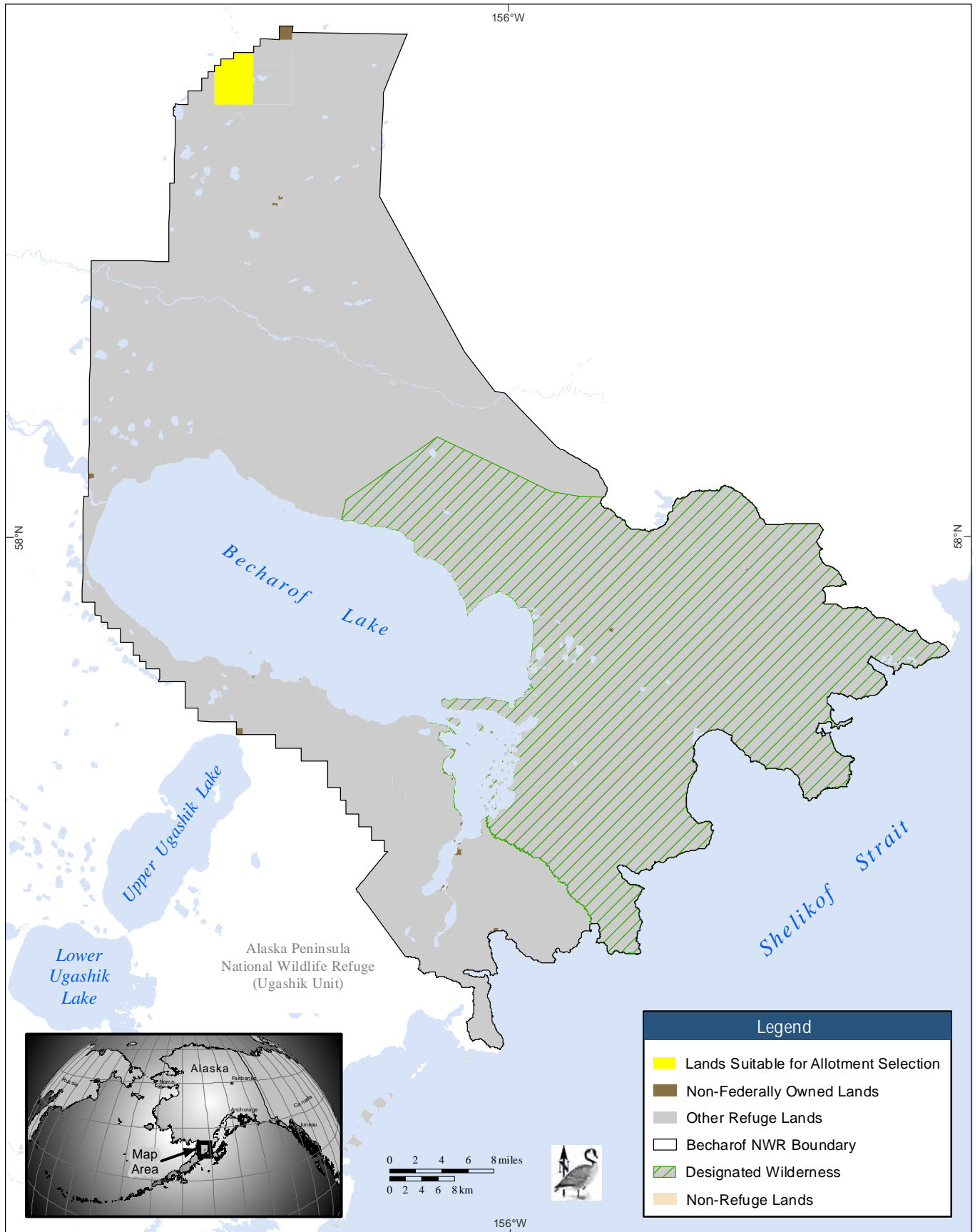


U.S. Fish & Wildlife Service

Becharof National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 3**



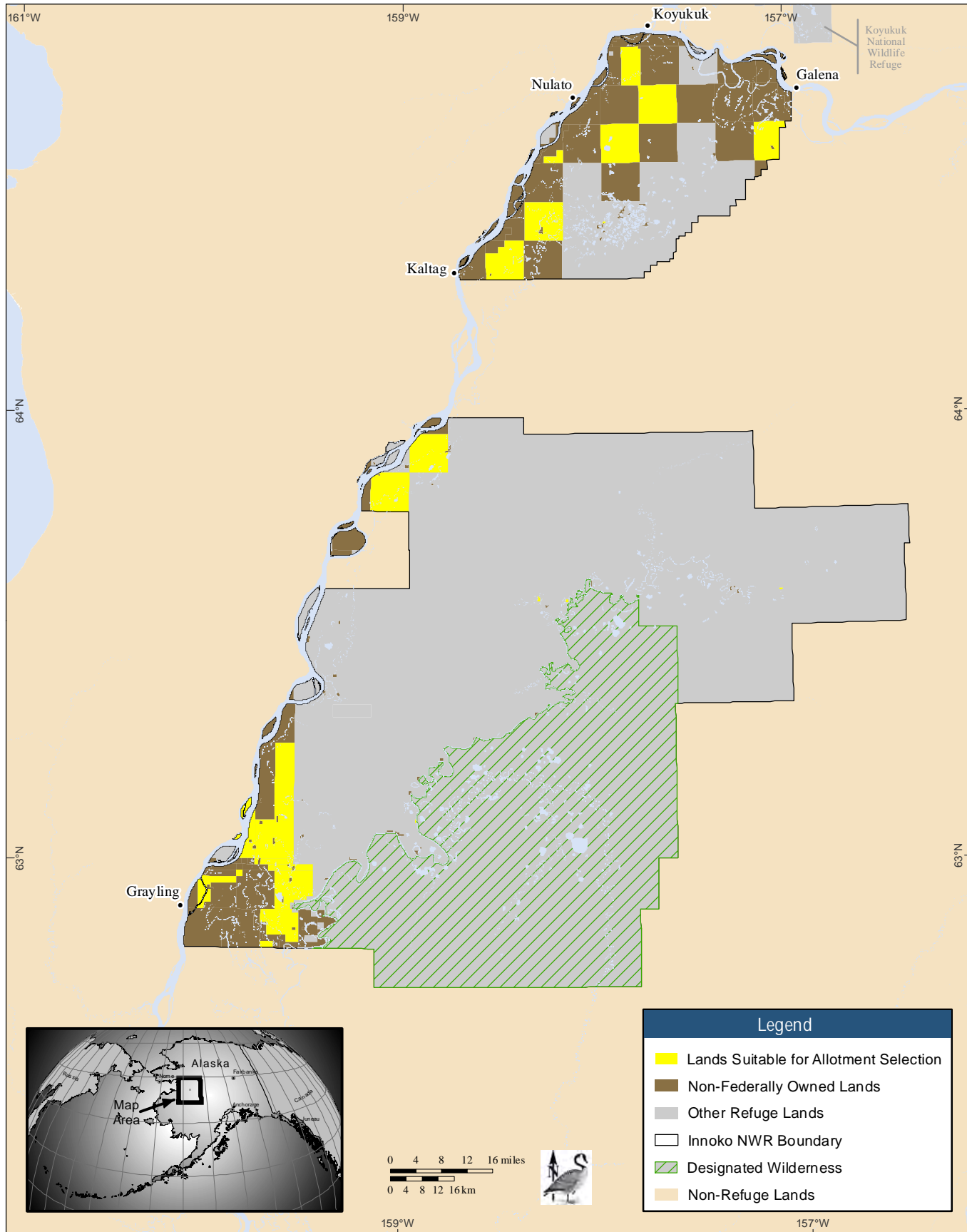


U.S. Fish & Wildlife Service

Innoko National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 4**





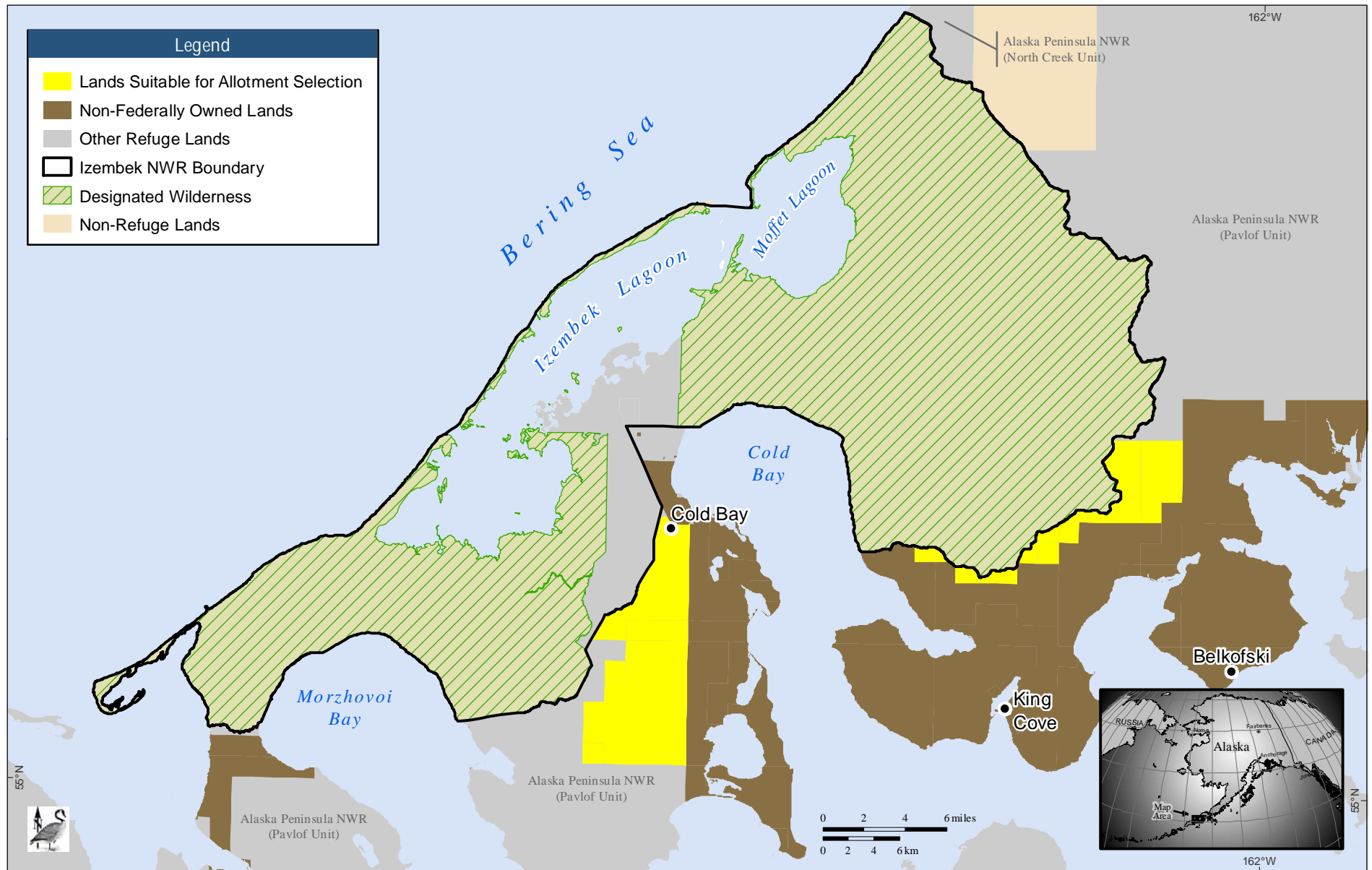


U.S. Fish & Wildlife Service

## Izembek National Wildlife Refuge Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 5



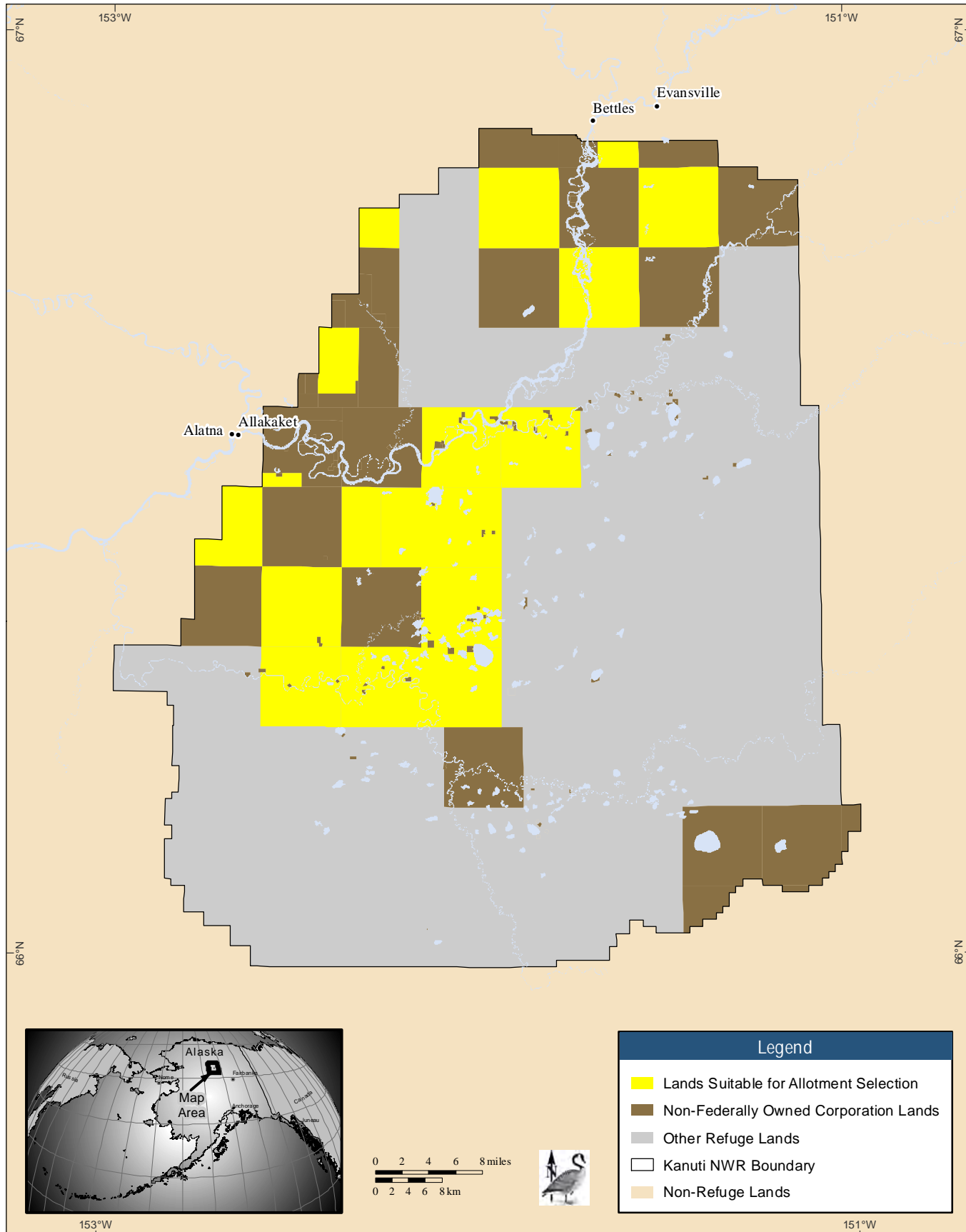


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Kanuti National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 6**



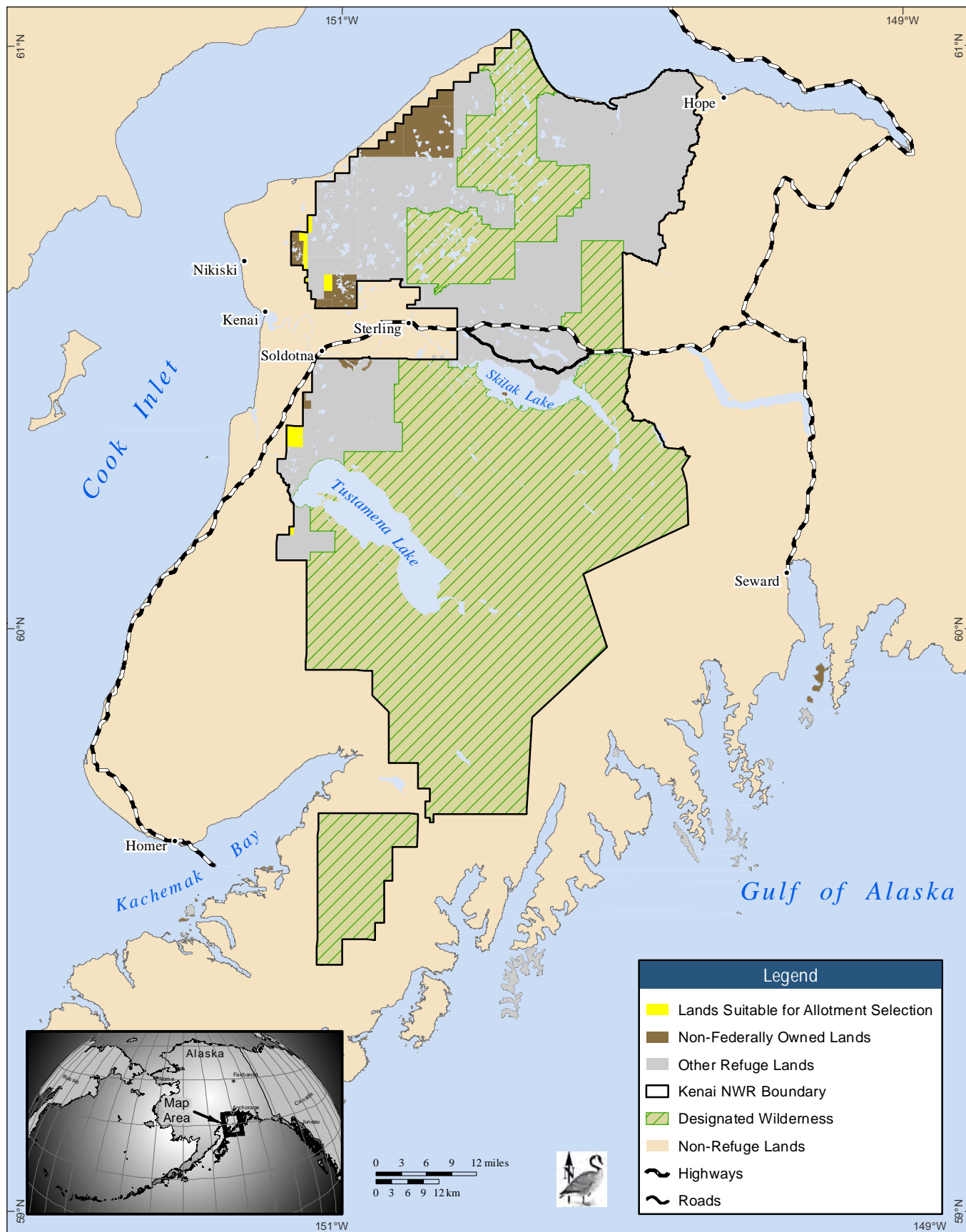


U.S. Fish & Wildlife Service

Kenai National Wildlife Refuge  
Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 7



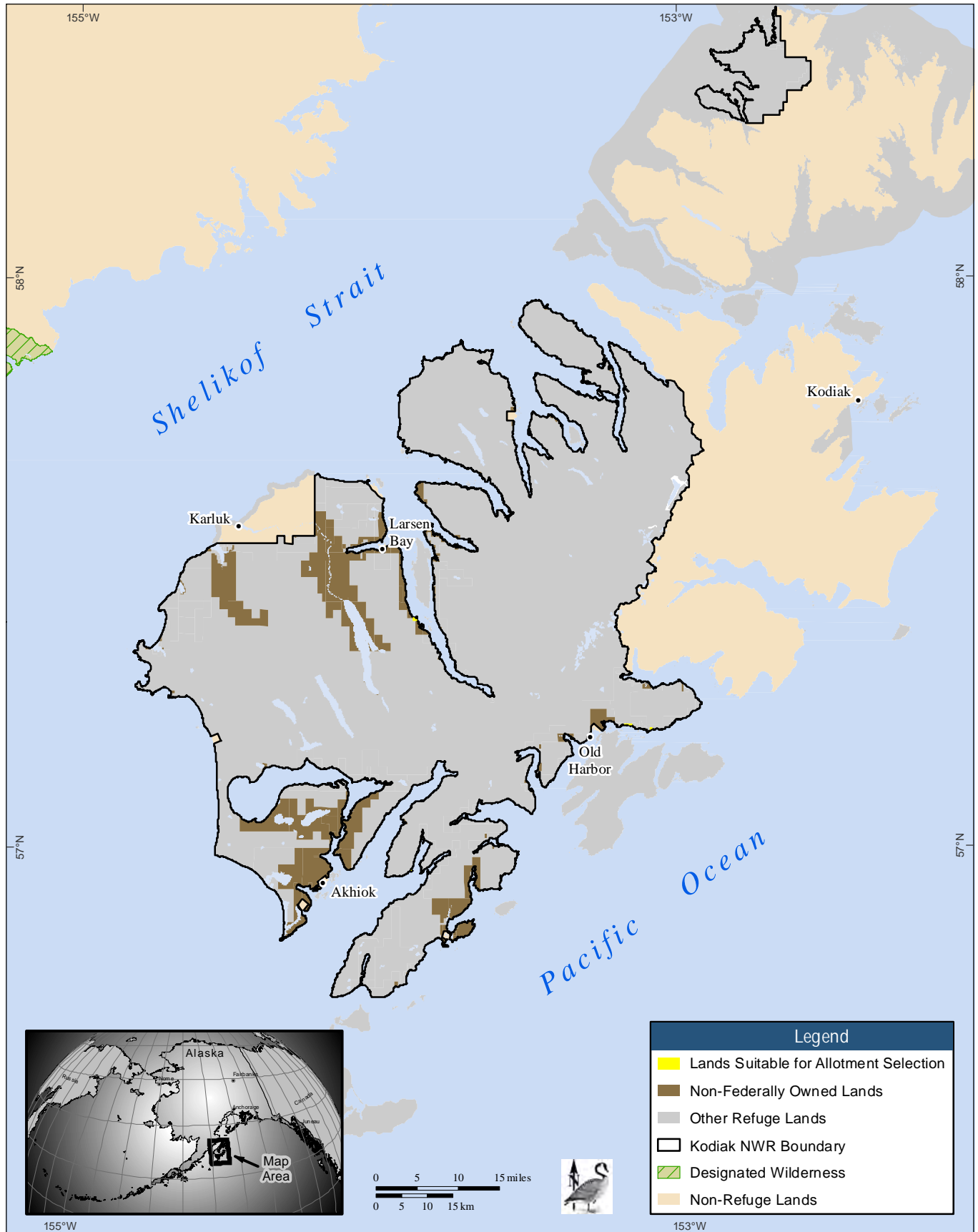


U.S. Fish & Wildlife Service

# Kodiak National Wildlife Refuge Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 8**



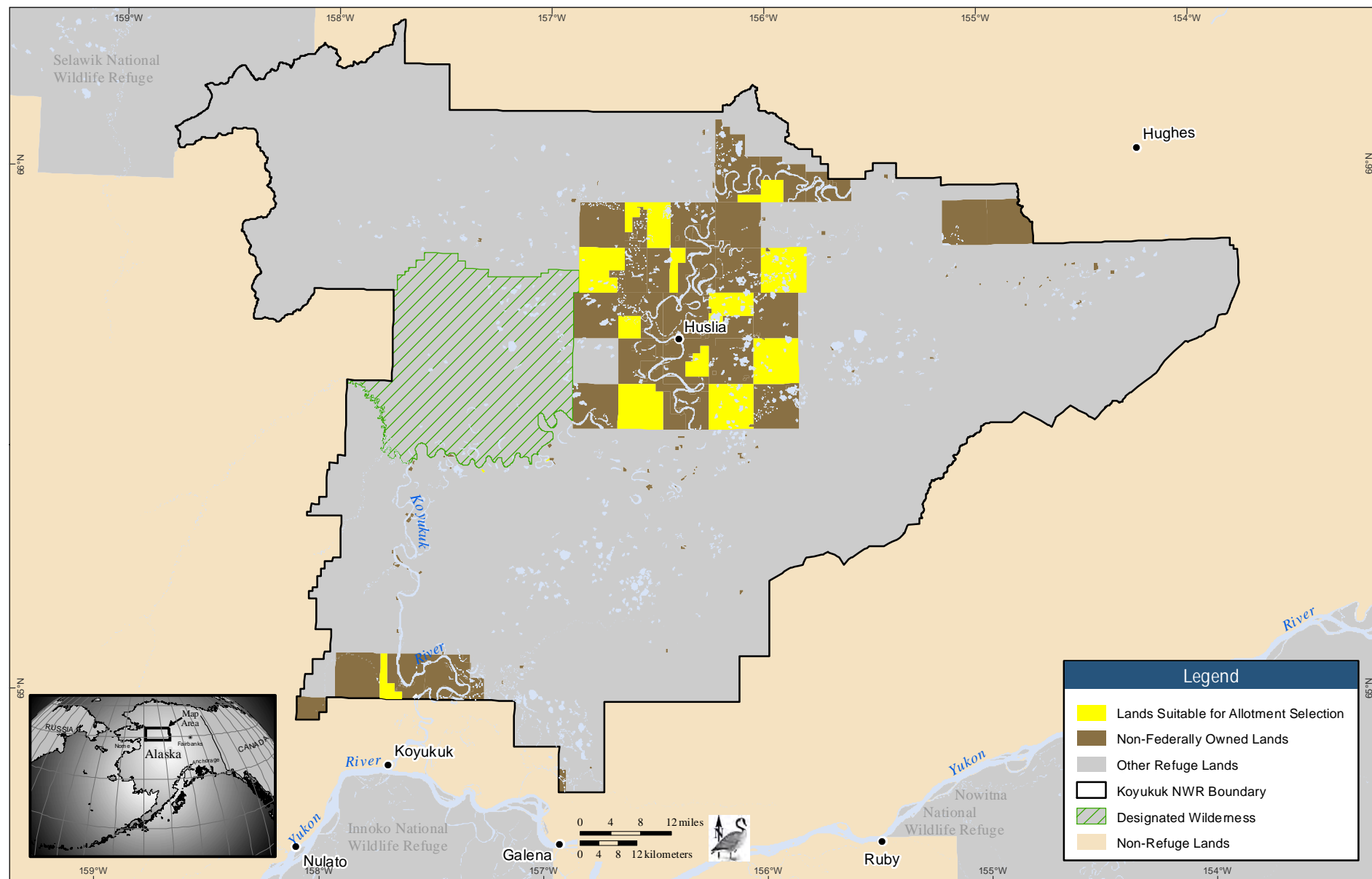


U.S. Fish & Wildlife Service

# Koyukuk National Wildlife Refuge Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 9





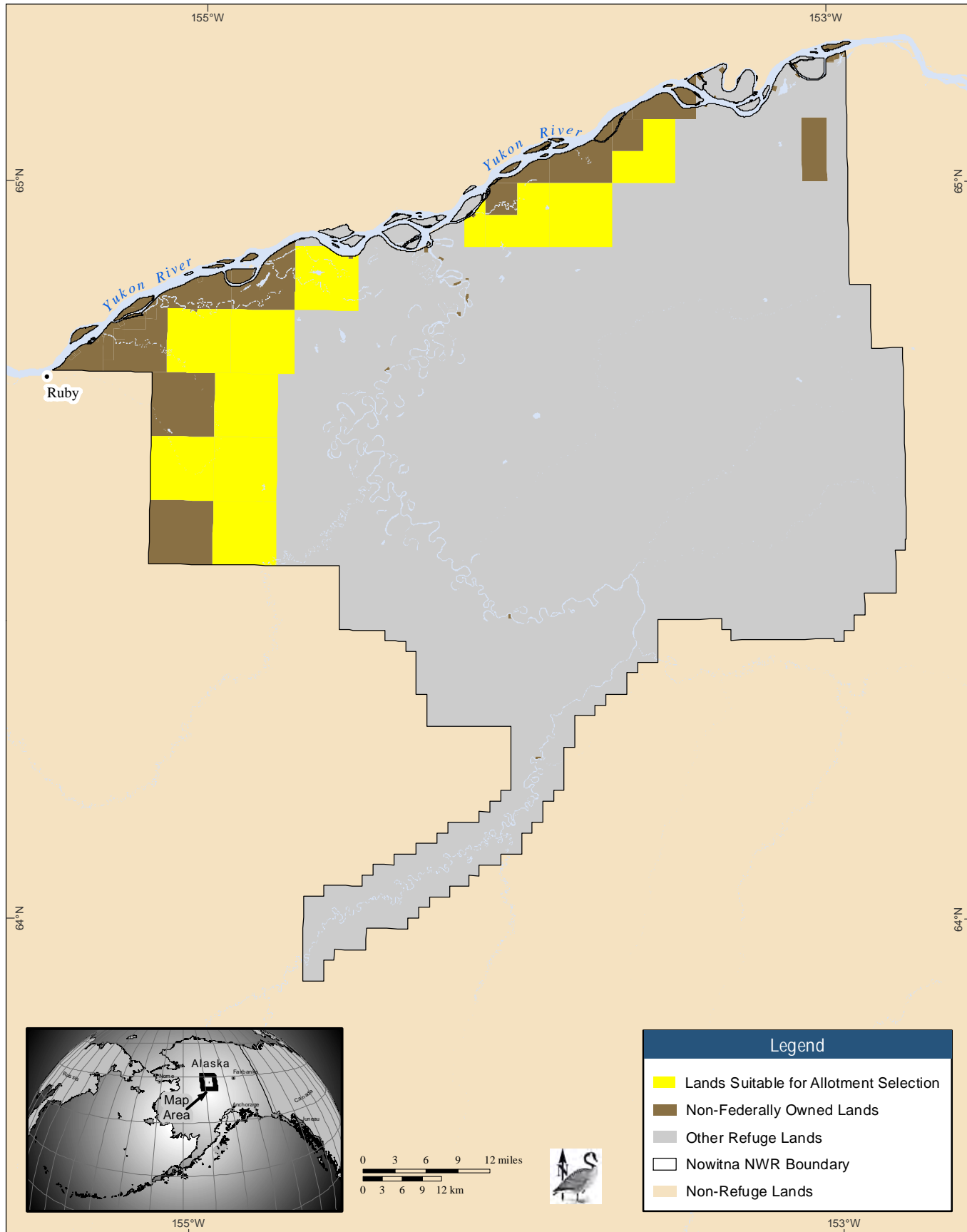


U.S. Fish & Wildlife Service

Nowitna National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

**Map 10**



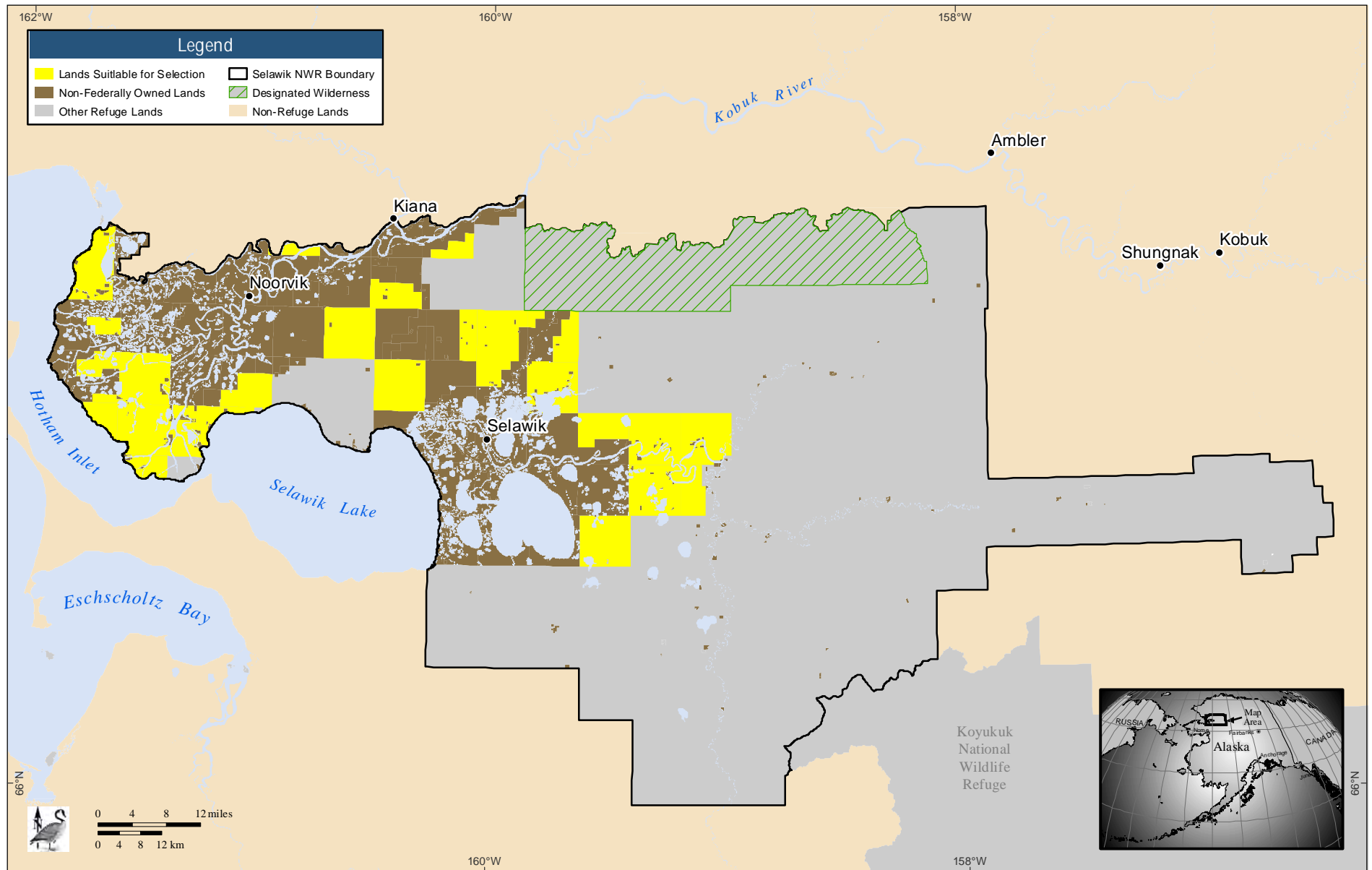


U.S. Fish & Wildlife Service

# Selawik National Wildlife Refuge Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

Map 11



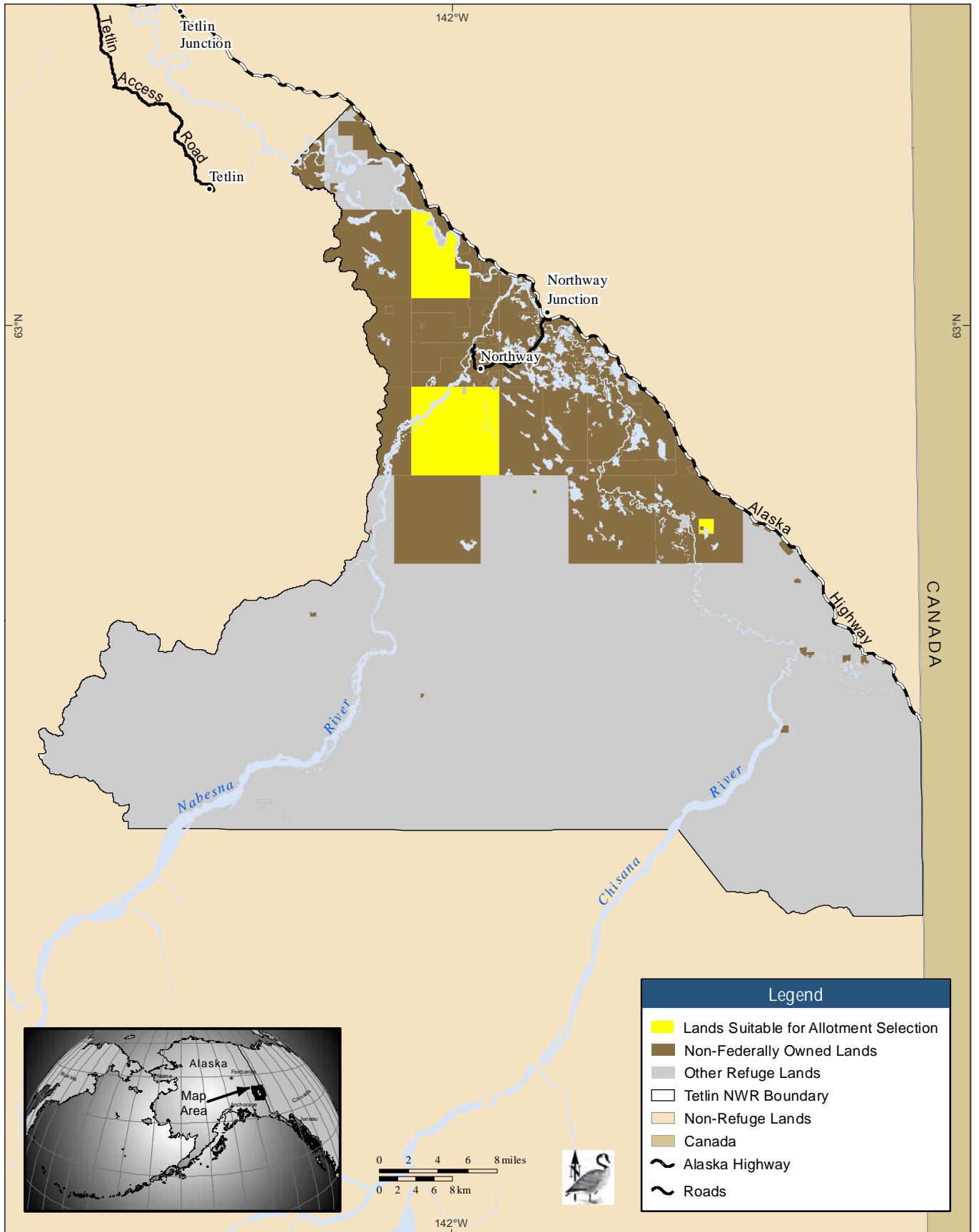


U.S. Fish & Wildlife Service

Tetlin National Wildlife Refuge  
Alaska

*Alaska Native Vietnam Era  
Veterans Land Allotment*

Map 12



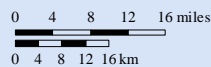
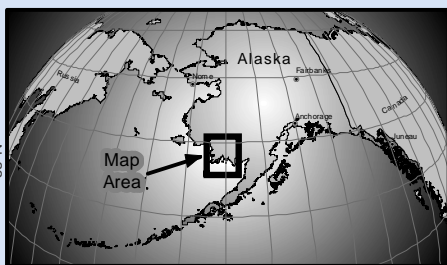
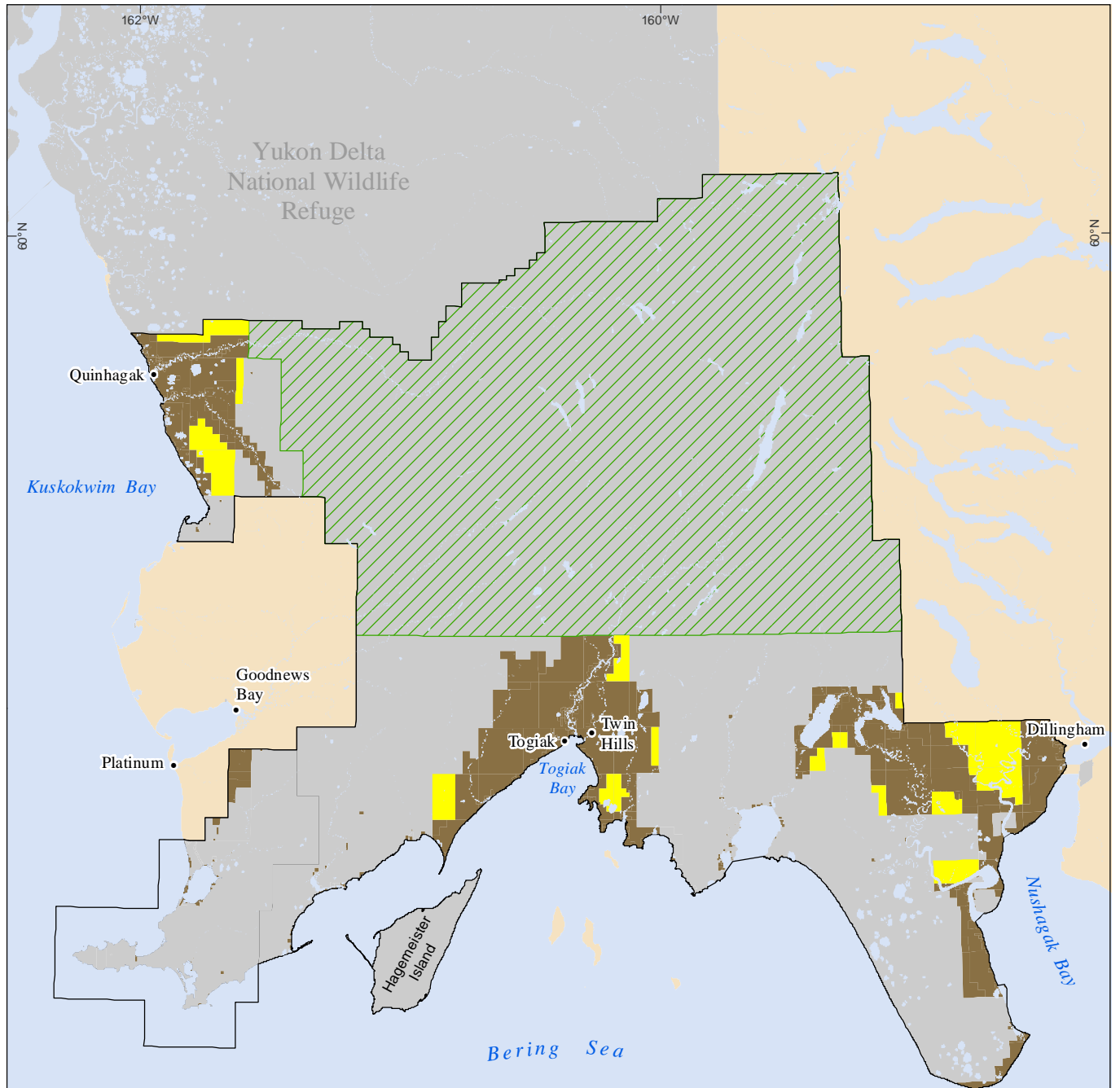


U.S. Fish & Wildlife Service

Togiak National Wildlife Refuge  
Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 13



Legend	
	Lands Suitable for Allotment Selection
	Non-Federally Owned Lands
	Other Refuge Lands
	Designated Wilderness
	Non-Refuge Lands

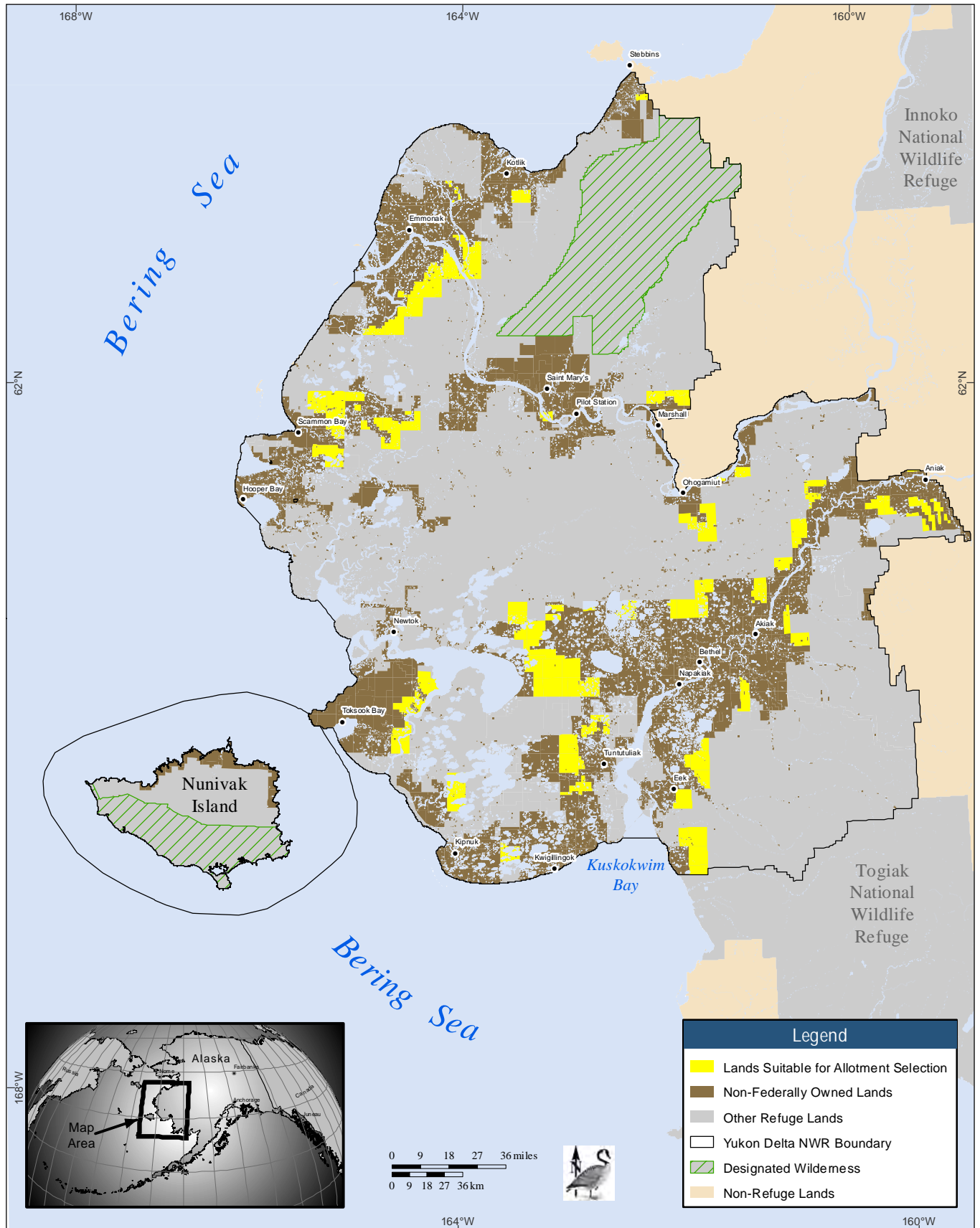


U.S. Fish & Wildlife Service

Yukon Delta National Wildlife Refuge  
Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 14







U.S. Fish & Wildlife Service

# Yukon Flats National Wildlife Refuge Alaska

Alaska Native Vietnam Era  
Veterans Land Allotment

Map 15

